PRIVACY NOTICE

Operations and Environment - Parking Enforcement

Who we are

Moray Council, Council Office, High Street, Elgin, Moray, IV30 1BX, moray.gov.uk 01343 543451, is a Local Authority established under the Local Government etc. (Scotland) Act 1994. We are the Data Controller of the personal data being collected.

Why we are collecting your personal data

Personal data is collected to allow for effective enforcement of off-street parking (including the issuing, collection and pursuing of Excess Charge Notices (ECNs) issued for parking contraventions).

In order to deliver this enforcement service, when a contravention has occurred, your car registration number, make and model, and, information about your parking session (including the date and time you have paid for) will be collected. A combination of written, electronic and photographic data may be used.

When you contact the Council to discuss an ECN we will collect your name, contact details (address, email address and/or phone number), and, any relevant details.

Personal data we collect from other sources

Where payment of an ECN is not made within 29 days, we will notify the National Antifraud Network (NAFN) and provide them with details gathered at the time of the contravention. NAFN will use this information to contact the Driver and Vehicle Licensing Agency (DVLA) to obtain the name and address of the registered keeper of the relevant vehicle on the Council's behalf. We will use this information to contact the registered keeper regarding the ECN.

Personal data you give us about other people

If you have provided, or have been asked to provide, someone else's personal data, if reasonable to do so, please inform them you have given their personal data to us for this purpose.

Our legal basis

Whenever the Council processes personal data we need to make sure we have a legal basis for doing so. We understand the Council's legal basis in data protection law to be Article 6(1)(e) of the United Kingdom General Data Protection Regulation (UK GDPR); because your personal data is necessary for the performance of a task carried out in the public interest by the Council.

We undertake this activity as part of our public task as a Local Authority to provide off-street parking enforcement in accordance with the Council's current Off-Street Car Parks Order, under the Road Traffic Regulation Act 1984.

Who we share this personal data with

The Council uses an external security firm to assist with security provision. We ensure that they process your personal data appropriately through our contractual arrangements with them. Should you contact them regarding out of hours access to your vehicle when parked in a multistorey car park, personal data (including your name and contact details) will be collected by the security firm so that they can arrange for the re-opening of the car park to allow for access to your vehicle. Your details will be passed to the Council for any relevant charge(s) to be raised.

Personal data may be shared internally with authorised officers of the Council if having access to personal data is a necessary part of their roles to ensure records are accurate and up to date. It may also be shared with other relevant Council Services where applicable.

The Council may share this personal data with other relevant Council Services and third parties where we are under a legal obligation to do so. For example, this may be with Police, Social Security Scotland, UK Border Agency or other Registered Professional Bodies.

The Council is required by law to protect public funds against fraud. It may share personal data with other relevant Council Services and third parties responsible for auditing and administering public funds, or who otherwise have responsibility for preventing and detecting fraud.

How long the personal data is held for

Your personal data will be securely stored by Moray Council for a pre-determined length of time. Information is only kept for the minimum amount of time necessary. We maintain a record retention schedule which sets out how long we retain different types of personal data. This is available on our website: www.moray.gov.uk/RetentionSchedules.

The Council stores information within the UK.

Your rights

Moray Council is the Data Controller for this personal data. You have legal rights about the way the Council handles and uses your personal data. These include the right to ask for a copy of it, to ask us to correct it and to ask us to stop doing something with your personal data.

As so far as the legislation permits, you also have the right to request the deletion of your data, and to object to the processing.

For more information about these rights, please see the Information Management pages on the Council's website here: www.moray.gov.uk/InformationRights. Alternatively, email the Council's Data Protection Officer at: IG@moray.gov.uk

If you have a concern about the way the Council has handled your personal data, you can make a complaint to the Council's Data Protection Officer in the first instance; an e-form is available on the Council's website here: www.moray.gov.uk/Complaints

You also have the right to make a complaint to the Information Commissioner's Office. They are the body responsible for making sure organisations like the Council handle your personal data lawfully.

Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Telephone: 0303 123 1113 Website: https://ico.org.uk/
Online: https://ico.org.uk/make-a-complaint/data-protection-complaints/