PRIVACY NOTICE

Sport and Culture - Sport and Leisure Service

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

Fit Life? Membership

The Fit Life membership scheme is offered by both Moray Council and Moray Leisure Centre; each are Data Controllers of the personal data they collect for the scheme. When you complete a Fit Life application form to become a member, personal data will be collected including your title, name, address, telephone/mobile number, email address, gender and date of birth. When paying your membership, including by Direct Debit, your bank details will be collected. Photographs of Fit Life members are also collected for recognition and verification purposes.

When you apply for a Membership for Families the names, dates of birth, gender, mobile and email addresses will be collected for any additional Fit Life members.

The data collected will be used to process and administer the Fit Life membership scheme to you. As you use your Fit Life membership, additional data will be gathered from you, for example we will collect details of bookings you have made, notes in connection with your bookings, copies of our communications with you and payment details.

When you complete our Fit Life Membership Form you will be given the option of joining a mailing list, so that we can let you know about events, Fit Life products and services, and the benefits of being a Fit Life member.

Induction and Class Application

When you start to use our facilities, including a fitness room or class, we will collect your name, address, email address, phone number, date of birth and health information. This data is collected ahead of an induction before use of the facility or class.

Pay as you go

When you start to use our facilities on a pay as you go basis your personal details will be collected so that you can book a class or activity in advance and so we can then charge the correct amount. When booking via a reception we will collect your name, if you wish to book online then we will also collect your address, email address, phone number, date of birth and health information, as well as concession details such as National Entitlement Card number and expiry date. When paying for a class or activity your card details are process through the Council's payment portal.

Swimming Lessons
To process your application to join the swimming lesson programme, we will collect the child's name, Fit Life Membership number (if applicable), date of birth, address, details of any medical conditions staff should be aware of, and any other relevant information. We will also collect the name of their parent/guardian/emergency contact and their contact details.

Venue/Room Hire
When you complete an application form for Venue/Room Hire, personal data will be collected from you so that we can process your application and contact you regarding the Venue/Room hire. The detail collected includes:

- name, organisation/group name, address, telephone/mobile numbers and email address.
- We may verify Protection of Vulnerable Groups/Disclosure status, instructors' qualifications, insurance details and regulatory body registration. We will evidence that we have seen any relevant documentation.

Personal data we collect from other sources
We may collect information about you, from a third party acting on your behalf, such as your parent or guardian for example in relation to Fit Life membership and swimming lessons.

Personal data you give us about other people
If you have provided, or have been asked to provide, someone else's personal data for a specific purpose, for example as an emergency contact, if reasonable to do so then please make sure that you have told them that 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 our 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 under section 20 of the Local Government in Scotland Act 2003 - the power to advance well-being.

We understand our legal basis for processing your personal data through our mailing list to be Article 6(1)(a) of the UK GDPR because you have given consent to your personal data being used for this purpose.

We understand our legal basis for processing your personal data for venue/room hire to be Article 6(1)(b) of the UK GDPR, because processing your personal data is necessary for the performance of a contract to which you are party.

Personal data that counts as 'special category data', such as data about health, and personal data relating to criminal convictions or offences must satisfy extra conditions when processed. We understand our legal basis in data protection law for processing these types of data to be Article 9(2)(g) of the UK GDPR, and Schedule 1, Part 2, Paragraph 6 of the Data Protection Act 2018 , and, Article 10 of the UK GDPR, together with Schedule 1, Part 2, Paragraph 6 of the Data Protection Act 2018; as the processing is necessary for reasons of substantial public interest for statutory and government purposes. The processing is necessary for the exercise of functions conferred under the Local Government in Scotland Act 2003.

Who we share this personal data with

The Fit Life Membership scheme is offered by both Moray Council and Moray Leisure Centre, each are Data Controllers of the personal data they collect for the scheme. A third-party Leisure Management Software Company processes data on behalf of both Moray Council and Moray Leisure Centre. We make sure that your personal data is handled appropriately through our contractual arrangements with them.

Your 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 departments where applicable.

The Council may share your personal data with other relevant Council departments 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 departments 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 (under Section 5 of the Records Management Plan).

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.

Also, you have the right to withdraw consent to the mailing list. You can do this at any time by emailing: sportandleisure@moray.gov.uk

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/