PRIVACY NOTICE

Financial Services – Insurance Claims

Who we are

Moray Council, Council Office, High Street, Elgin, Moray, IV30 1BX, www.moray.gov.uk 01343 543451, is a Local Authority established under the Local Government etc. (Scotland) Act 1994. We are the Data Controller for the personal data that we hold as part of receiving and responding to your insurance claim.

Why we are collecting your personal data

When you make an insurance claim against the Council, we need to collect your personal data in order to process and correspond with you regarding your claim. The personal data collected includes but is not limited to, your name and contact details (address, email address and phone number), information about the claim (such as medical conditions/injuries where relevant) and information that may help to substantiate the claim.

Where applicable, your National Insurance number, relevant medical reports, employment information (including occupation, absence records and salary) and vehicle information may also be collected.

Personal data we collect from other sources

As part of the claim process, we may require to collect personal data about you from third parties, such as witnesses, your employer, your doctor/GP (via medical reports), Police Scotland, and parties acting on your behalf, such as solicitors, insurers, or claims management companies. During the investigation, we may also collect data from other Council Services, such as for verification processes and/or for the prevention of fraud.

Where necessary, we may need to involve others acting on your behalf, for example a parent/guardian, or your power of attorney. In these cases, we would request consent if required, or a copy certificate as proof of same.

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, such as a witness, if reasonable to do so, then please ensure 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 the Council's legal basis in data protection law to be Article 6(1)(c) of the United Kingdom General Data Protection Regulation (UK GDPR); as the processing is necessary for the Council to comply with its legal obligations. The

Council owes various duties to the public which are set out in law and owes a duty of care to the public and staff under Health and Safety law. Our legal obligation for processing insurance claims is based in civil legislation. We have an additional obligation as an employer under the Employers' Liability (Compulsory Insurance) Act 1969.

Personal data that counts as 'special category data', such as health information, must satisfy extra conditions when processed. We understand our legal basis in data protection law for processing this type of data to be UK GDPR Article 9(2)(f); as the processing is necessary for the establishment, exercise or defence of legal claims.

Who we share this personal data with

To investigate and progress your claim, personal data relevant to your claim will be shared with our insurers and their representatives, our brokers (as applicable), and relevant Council Service(s). If required as part of litigation proceedings, your personal data will be shared with the courts or other part of the judicial system.

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 Services where applicable.

The Council may share your 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 (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.

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/