PRIVACY NOTICE

Physical Activity for Health Programme

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 information being collected.

Why we are collecting your personal data

You are invited to take part in the Council's Physical Activity for Health Programme by completing the self-referral form on the Council's website. The form will ask you for the following details:

- your title, forename(s) and surname;
- your gender (optional);
- your date of birth;
- your address;
- your email address and telephone number;
- the reason for your enquiry; and,
- your medical history.

This information is required so that we can contact you about your application to join the programme, and refer you to an appropriate facility, based on your location and needs.

The form will also ask you to provide the name and contact telephone number of an emergency contact, so that we can contact them in the event of an emergency.

Personal data we collect from other sources

The personal information we process is provided to us directly by you when you have completed a self-referral form, or, we have obtained your information from an NHS health professional who completed the Health Care Professional Referral Form to apply for the programme on your behalf and with your permission.

If you are a health professional completing a referral form on behalf of your patient, the Health Care Professional Referral Form will ask for your name; designation; place of work and email address, so that we may contact you regarding the referral.

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 basis in data protection law to be Article 6(1)(e) because your personal information is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council. In this case, the official authority comes from section 20(1) of the Local

Government in Scotland Act 2003, which gives the Council power to do anything it considers is likely to promote or improve the well-being of persons within its area.

Personal data that counts as 'special category data' such as health, ethnicity and religion, must satisfy extra conditions when processed. We understand that our legal basis in data protection law for processing this special category data to be UK GDPR Article 9(2)(g) as the processing is necessary for reasons of substantial public interest, on the basis of law. Our basis in law is set out in section 10(3) of the Data Protection Act 2018 (DPA), supported by Schedule 1, Part 2, Paragraph 6 of the DPA – statutory etc and government purposes; as the processing is necessary for the exercise of functions conferred under the Local Government in Scotland Act 2003, section 20 – the power to advance well-being.

If you do not provide the personal information requested, the Council will not be able to provide you with access to the Physical Activity for Health Programme.

Who we share this personal data with

The information you provide will be shared with Moray Leisure Centre and Moray Sports Centre, who are providing some referred exercise programmes within the Elgin area.

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.

Personal data you give us about other people

Please note that it is your responsibility to inform your emergency contact(s) that you have given their contact information to Moray Council as an emergency contact. Typically this will be a name and telephone number. We will only use this information in the event of an emergency.

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/