PRIVACY NOTICE

Benefits and Money Advice – Money Advice Moray

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 of the personal data being collected.

Why we are collecting your personal data

Moray Council's Money Advice Moray (MAM) Service provides free, impartial and confidential advice on all aspects of money, budgeting and debt. If you choose to engage with MAM, personal data will be collected including your name, contact details, date of birth, and potentially information about your circumstances, such as health information and information about your household.

As part of the MAM Service, personal data may collected:

- to look at your income and to check that you are receiving all of the benefits that you are entitled to.
- to provide you with personal budgeting support.
- to assist you with making benefit applications and form filling.
- to allow us to identify and refer you to other support services and organisations when required.
- to allow us to evidence to our funders your eligibility for assistance from MAM.
- to allow us to contact you for feedback regarding the quality of service provided to you.
- to allow us to monitor and evaluate the success and performance of services offered.

Personal data we collect from other sources

Your details may have been passed to us through a referral from a third party. This personal data may include contact details for you and/or any person acting for you under Power of Attorney, details about your income and employment status, any barriers to employment, benefits in payment or benefits claimed, whether there are any risks or concerns about you, or your health and the reason for referral to MAM.

Personal data you give us about other people

If you have provided someone else's personal data, if reasonable to do so, please ensure 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 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; providing benefits and money advice is part of our public task, as a Local Authority. The Council has the power to provide this support under the Social Work Scotland Act 1968, the Local Government (Scotland) Act 2003, and the Housing (Scotland) Acts.

Personal data that counts as 'special category data', such as health information must satisfy extra conditions when processed. We understand that our legal basis in data protection law for processing this special category data to be Article 9(2)(a) of the UK GDPR, because you have provided your explicit consent to the processing of this special category data.

Who we share this personal data with

Internally, your information may be shared with other Council Services, such as Taxation and Housing. Externally, your data may be shared with administrators and auditors of public funds (such as Audit Scotland), and, with the Department of Work and Pensions (DWP), Social Security Scotland and His Majesty's Revenue and Customs (HMRC).

We may also share, and potentially collect, personal data with/from the following third parties:

- Mortgage Lenders and Housing Associations - to establish any action taken for recovery of property, to obtain information for housing status, and rent or mortgage arrears.
- Temporary Accommodation Providers - regarding the provision of temporary accommodation for individuals, homeless or threatened with homeless and also in financial hardship seeking money advice.
- All types of Financial Lenders and Mobile Phone Contracts - to establish moneys owed and liability where due, any action the financial institution may have taken and checking contracts where necessary.
- Utility and Mobile Phone Companies - to establish arrears and avoid disconnection where applicable.
- Accountant In Bankruptcy - to cover all Debt Arrangement Schemes and Sequestrations undertaken including Sequestration applications and Debt Arrangement Schemes.
- Job Centre Plus and DWP - to gather information on the client's benefit in payment or entitlement.
- Statutory Agencies - referral to other agencies, with your agreement, unless there are statutory duties to do so.

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 also 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, HMRC, DWP, UK Border Agency or 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.

You have the right to withdraw consent to your special category personal data being used for this process. You can do this at any time by contacting:

- moneyadvice@moray.gov.uk (regarding special category data provided for debt advice).
- benefitadvice@moray.gov.uk (regarding special category data provided in relation to income maximisation and budgeting advice).

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/