PRIVACY NOTICE

Operations and Environment – Home to School Transport

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

When you apply for home to school transport, personal data will be collected about you and your child, including:

- the child's: name, date of birth, home address, pick-up point location, relevant health information (such as the child's behavioural needs to assist with the child's travel experience and those who work with them), and any vehicle requirements.
- parent/carer's: name and contact details (i.e. email address and phone number).

The above information is required to process and assess your application, and to provide any resulting transport service. We will also use the information you provide to verify your identity where required, contact you when required and to maintain our records.

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 under the Education (Scotland) Act 1980.

Personal data that counts as 'special category data', such as data about health, must satisfy extra conditions when processed. We understand our legal basis in data protection law for processing this type 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; 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 Education (Scotland) Act 1980.

Who we share this personal data with

We will share the application internally with your child's school, so they can countersign the application, validating your child's enrolment at that school, and, with the Council's Public Transport Unit. Travel passes are printed by the Council and will contain: the child's name, school, the provider (bus company for the route) and pick up point.

If your child is provided with a home to school transport service, information will be shared with our contracted transport providers for the purpose of providing the transport service. We make sure they process your personal data appropriately through our contractual arrangements with them.

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 (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/