PRIVACY NOTICE

Allotments

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

The Council has a statutory duty under Part 9 of the Community Empowerment (Scotland) Act 2015 to maintain allotment waiting lists of Council residents. If you would like to join the Council's allotment waiting list, your name, address, contact number, email address and information you provide in relation to your allotment request requirements will be collected.

The personal information you provide will be used to contact you about your request, process your request when a suitable allotment becomes available and to determine demand for allotments.

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 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, under the Community Empowerment (Scotland) Act 2015, Part 9 – Allotments.

Personal data that counts as 'special category data', such as health, ethnicity and religion, must satisfy extra conditions when processed. If you have provided special category information, such as health information relating to your allotment requirements, we understand that our legal basis in data protection law for processing this special category data to be UK GDPR Article 9(2)(g) – reasons of substantial public interest, with a basis in law. Our basis in law is Schedule 1, Part 2, Paragraph 6 of the Data Protection Act 2018; as the information will be used in accordance with our statutory functions under Part 9 of the Community Empowerment (Scotland) Act 2015 to provide reasonable access to leased allotments and allotment sites.

Who we share this personal data with

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/