PRIVACY NOTICE

Operations and Environment – Waste Services

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

In order to provide you with waste services, personal data will be collected from you when you contact the Council, such as via our Recycling and Waste webpage: www.moray.gov.uk/Waste. Personal data, including your name, address and contact details (phone number and/or email address) will be collected so that we can verify your identity and location in order to process requests including:

- reporting missed collections, and, responding to enquiries/complaints
- requesting replacement, new or large bins, medical waste bins and bulky uplifts
- applications for assisted collections, garden waste permits and bins for events
- recycling centre bookings, and,
- requests regarding commercial waste collection

Additional data may be collected, for example, in order to establish your eligibility for medical waste bins or assisted collections, such as details of medical condition(s). If you need to complete a household waste declaration form when visiting a recycling centre, you will also need to provide your vehicle details. For recycling centre bookings, we will also collect information relating to your vehicle.

We have CCTV at our recycling centres and may use Automatic Number Plate Recognition (ANPR) equipment to capture your vehicle's registration plate. For further information, please see our CCTV Privacy Notice: www.moray.gov.uk/CCTV

The personal data collected will be used to respond to your request, enquiry or complaint. Where there is a charge for a service, your email address is required so that we can send you an electronic receipt as confirmation of the payment made. As part of the garden waste permit service, we will also use your email address to advise you of the last collection date for the year and to advise you how to sign up and pay for the next year.

Personal data we collect from other sources

We may collect your data from another source, for example if a request for a waste collection is made on your behalf.

Personal data you give us about other people

If you have been asked to provide, someone else's personal data for a specific purpose, for example so that we can establish your eligibility for certain types of waste bins, or

collections; if reasonable to do so then please make sure that you have told them that you have given their personal data to us for this purpose. We will only use this information for this specific 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 the personal data is necessary for the performance of a task carried out in the public interest. Also, Article 6(1)(c) - as the processing is necessary for the Council to comply with its legal obligations under legislation including:

- Environmental Protection Act 1990
- The Waste (Scotland) Regulations 2012

With regards to commercial waste services, we provide these services to you as part of our function as your local authority and trade waste contractor. We understand our legal basis for processing your personal data in relation to commercial waste contracts to be UK GDPR Article 6(1)(b) – as the processing is necessary for the performance of a contract with you (or to take steps to enter into a contract with you).

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 special category 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, for the exercise of functions conferred under the above legislation.

Who we share this personal data with

Moray Council uses Civica to process payments; no bank details are collected by the Council. Limited personal data, such as your email address for a receipt, may be shared with Civica when they process a payment for services such as bulky uplifts and garden waste permits. We make sure that they process your data appropriately through our contractual arrangements with them

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/