PRIVACY NOTICE

Community Councils

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

Moray Council has a statutory duty under the Local Government (Scotland) Act 1973 to introduce Community Councils within Moray; the Act also outlines arrangements including meetings, elections, boundaries and finance. The Council also has obligations to support and consult with Community Councils.

Your name and address will be collected if you sign a petition to create a Community Council.

Community Councillors

If you stand for a place on a Community Council, your name, contact details (address, telephone number and email address) and eligibility to stand (verification that you are on the electoral roll) are collected. This personal data will also be used to:

- communicate with and between Community Councillors
- publish public notices in respect of Community Council elections
- maintain Council records
- publish names of Community Councillors on our Community Councils webpages www.moray.gov.uk/CommunityCouncils so Moray residents know who their Community Councillors are.
- publish contact details for a nominated contact person for each Community Council, so organisations and members of the public can get in touch about issues/concerns (we recommend that this is a generic community council email address).
- provide membership details of Community Councils (including names, addresses and contact details of Community Councillors) to other public bodies, other Community Councils or Community Councillors and third parties.
- send you information and updates about issues/changes affecting your community.
- ensure appropriate people have signed the Community Council's Constitution and financial accounts.

Community Council Meetings – Agendas and Minutes

Meetings of Community Councils are considered to be public meetings, and the minutes are public records. Meeting minutes are published on the Council's Community Councils webpages. Names of those who attended a Community Council meeting are

recorded within the meeting minutes. Members of the public may ask the relevant Community Council to remove their names from any minutes in which they appear.
Where agendas and minutes are provided to the Council for distribution in public offices and libraries, in line with the duty of Community Councils to ascertain, co-ordinate and express the views of their community, the Council may keep these minutes and agendas permanently in the Council's Archives.

Community Council Resilience Groups
If you have opted to join a Community Council Resilience Group, your name, contact details and any areas of expertise or assistance that could be utilised in an emergency situation will be collected. If a situation arises, this information may be shared with Moray Council and other support agencies.

Community Council Annual Administrative Grants
The Council has the power to provide appropriate levels of funding and support for Community Councils in its area. A decision to award a grant will only be made when the Treasurer of a Community Council submits their annual accounts, which have already been approved by their Community Council. The annual accounts or covering statement will contain the name, address, and email address of the Treasurer, and the name and address of the independent examiner. The Council will assess the annual accounts to calculate grant entitlement.

Personal data we collect from other sources
On occasion we may collect personal data about you from another source, for example from the Secretary of your Community Council.

Personal data you give us about other people
If you have provided someone else's personal data for a specific purpose, if reasonable to do so, then please make sure that you have told 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 the personal data is necessary for the performance of a task carried out in the public interest. Supporting and consulting Community Councils is part of the Council's public task, as outlined under the Local Government (Scotland) Act 1973, the Local Government etc. (Scotland) Act 1994, The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 and the Licensing (Scotland) Act 2005.

Collecting and preserving important information about Moray and its people is also part of the Council's public task under the Local Government etc. (Scotland) Act 1994 and the Public Records (Scotland) Act 2011.

Who we share this personal data with

During the election process, we may share the name and address of candidates with the Electoral Registration Officer to confirm a candidate's eligibility to stand as a Community Council candidate. We may also share the names and contact details of Community Council members with other Council Services.

We will only publish Community Councillor contact details as described above if you have actively given us permission to do so. You can change your mind at any time, by contacting the Council's Community Council Liaison Officer who will update our records.

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/