PRIVACY NOTICE

Abandoned Vehicles

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 duties relating to the removal and disposal of abandoned vehicles under the Refuse Disposal (Amenity) Act 1978 and The Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges etc.) Amendment (Scotland) Regulations 2005.

In order to fulfil these duties, personal data will be collected from you including your name and contact details (address, email address and telephone number) when you report an abandoned vehicle via the Council's Contact Centre or the e-form available on the Council's Environmental Health webpage:
http://www.moray.gov.uk/moray_standard/page_1799.html

We may use the data collected to contact you with any follow-up enquiries relating to the report.

Personal data we collect from other sources

When we receive an abandoned vehicle report, the vehicle's make, model and registration number (where possible) is collected and shared with Police Scotland, who assist the Council to identify the vehicle's owner.

If you are the owner of an apparently abandoned vehicle somewhere other than on a public road, Police Scotland will provide us with your name and contact details (address, phone number and email address) so that we can contact you regarding the vehicle and provide you with notice of the proposal to remove the vehicle.

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), as the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (i.e. under the Refuse Disposal (Amenity) Act 1978 and The Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges etc.) Amendment (Scotland) Regulations 2005).

Who we share this personal data with

Personal data of the owner of a vehicle reported as abandoned may be shared with third parties. These third parties include, but are not limited to, Police Scotland and the DVLA. Where a company is contracted to remove the vehicle, the registration number and vehicle location will be shared with that contracted company.

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/