

DATA PROTECTION POLICY DPA & GRPR IMPLEMENTATION AND PRIVACY NOTICE

Most customers in one guise or other will have come across the Data Protection Act 1998 (DPA 98) and it forms the basis of how the Teignmouth Harbour Commission (THC) as an organisation handles your personal data.

Your personal information is stored on the Harbour Management or Commissions databases, which are bespoke programmes used to send you Invoices, receipts and information and record your relationship with THC. Great care is taken to guard your information and THC will not divulge it to anyone not authorised to receive it.

From 25 May 2018, the new EU General Data Protection Regulation comes into effect and is a significant change to DPA 98 and the basis of the new Regulation as it affects individual customers is laid out below.

The most important point is the new requirement for individual members to give their active consent (opt-in) to THC holding your data.

For existing customers:

If you are a Mooring Licence Holder the Terms and Conditions of the Annual Mooring Licence will be changed to reflect this consent and the fact that you have opted to pay your invoice or any part of it will imply that you have “opted-in” to THC holding your data and this will be reiterated as part of the mooring renewal process in October 2018.

If you are not a Mooring Licence Holder a form requesting your consent to “opt-in” to THC holding your data will be attached to communication after 25 May 2018 to you for completion and it is emphasised that you must complete and return the form, or THC will be forced to delete your records.

Any new THC customer after the 25 May will be asked to “opt-in” to THC holding their data.

Overview of GDPR and Privacy Notice

Our intent. We are committed to safeguarding the privacy of our Customers. THC will only use the information that we collect about you lawfully and in accordance with the DPA 98.

Changes to Data Protection Legislation

Data Protection Legislation and DPA 98 are currently going through a period of change. The introduction of the EU General Data Protection Regulation (GDPR) and the new British Data Protection Bill, which will replace DPA 98, is currently passing through Parliament and is the basis of this change. This Privacy Notice is therefore intended to comply with the Act and GDPR but may change over time.

The Data Controller

The THC is henceforth from a legal perspective classed as the Data Controller.

Data Protection Officer (DPO)

The THC's DPO is The Harbour Master. The DPO fulfils a number of roles, one of which is to be the primary and independent point of contact for data protection matters. The formal mechanism for members to raise concerns regarding the processing of personal data is primarily by email to: thc@teignmouthharbour.com or send a letter by registered mail to: The Harbour Office,

Teignmouth Harbour Commission, 2nd Floor ABP Port Office, Quay Road, Teignmouth, Devon TQ14 8ES, at which point the inquiry will be actioned by the DPO. However, verbal enquiries from Customers will be treated appropriately, although a written follow up should be sent.

Purpose of Processing Personal Data

THC collects personal data primarily to support the service THC provides to Harbour Users.

Lawful Basis of Processing Personal Data – Consent

The lawful basis of processing your personal data is Consent. Once you have agreed to a Privacy Notice you will be registered for the processing of your personal data, based upon your consent.

Categories of Personal Data Processed

The information THC holds should be accurate and up to date. The personal information which THC holds will be held securely in accordance with THC's internal data protection and security policies. The type or categories of personal data THC will collect and record will include:

Name, Postal Address, e-mail Address, Land and Mobile numbers, any information contained on an Invoice or receipt involving THC

For Mooring Licence holders in addition to the above: Name and details of boat and Emergency Contact details as above and the history and notes of a Mooring Holders association with THC; Qualifications and experience and any information provided on the Boat and Owners Form.

Category of Recipients of Personal Data

Name and contact details will be primarily only used internally within the THC.

Transfer of Personal Data inside or outside the EEA (European Economic Area).

Personal Data will not be transferred inside or outside the EEA.

Sensitive Personal Data

THC will never collect sensitive personal data about a Customer without your explicit consent and clear explanation why it is required.

Sale or Passing of Personal Data to Third Parties.

THC will not sell or pass a Customer's personal data to any commercial or charitable organisation and will only pass on data if there is a statutory requirement to do so.

Retention of Personal Data

THC will retain your personal data as follows:

Information Held Under Consent

Whilst you are a Customer of THC. On stopping being a Customer, THC will request your consent to continuing to hold your name and relevant details in support of historical and archived records.

Data Subject's Rights

Under the Act and in even more so under the GDPR Customers have a number of Rights which are detailed below:

Right of Access

Customers are entitled to access their personal data and are requested to assist THC by ensuring that any changes to that data are updated so that THC can maintain up to date accurate records.

To obtain details of what THC hold, a Customer should do so through the mechanism of a Subject Access Request (SAR) and Customers have the right to obtain confirmation that data is being processed (held) and the right to access data held (a copy).

Fees and Timings

This information will be provided without charge, without undue delay and generally within one month.

Identify Verification

To protect your personal data THC will have to verify your identity before releasing any information, which will normally be in electronic format. As a customer this should normally be a simple process, however if the SAR is made from a former customer or by the relative of a deceased customer, then additional verification steps may be required.

Right of Erasure

Customers may request the deletion or removal of personal data where there is no compelling reason for its continued processing. The Right to Erasure does not provide an absolute right to be forgotten as Customer, data may form part of the THCs archives. However, it will end all routine processing.

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