



## PRIVACY POLICY

**The Padstow Harbour Commissioners (“We” or “PHC”) are committed to safeguarding the privacy of your personal data.**

The privacy and security of your personal information is extremely important to us. This privacy policy explains how and why we use your personal data, to make sure you stay informed and can be confident about giving us your information. This policy applies if you’re a customer, employee, job applicant, tenant or Commissioner of PHC or use of any of our services, visit our website, call or write to us. In certain circumstances we may also provide an extra privacy notice, which will always refer to this page.

It’s likely that we will need to update this privacy policy from time to time by updating this page. You should check this page from time to time to ensure that you are happy with the changes.

This version of our Privacy Policy was last updated in **May 2018**.

### What we collect

- Information you provide when you set up a customer account with PHC, including your title, name, address, email, telephone numbers (including mobile);
- Details of payments, including payments made by post, online, by telephone or directly to our bank; (card details are not stored with us, but by 3<sup>rd</sup> party banking companies Paypal / Barclaycard)
- Vehicle registration details if you rent a car park space from PHC
- Information that you provide by filling in forms on our website <https://www.padstow-harbour.co.uk>;
- Information you provide when completing forms such as applying to go on a mooring waiting list
- Information you provide when applying for a Boat / Boatman’s Licence including name, address, date of birth and information classified as sensitive personal information relating to your health in the form of a Medical Report
- Information when you contact us by email, letter or otherwise with an enquiry or in response to a communication from us.
- From you ‘opting in’ to receive news, or marketing information about PHC via our website, email or one of our forms.
- Your images may be recorded on CCTV when you visit the Harbour Office, one of our car parks, or other locations within our Harbour Estate or marine limits.
- Information collected by our RHIB Patrol Officer such as name, address and in some cases video footage;

- Information you provide to obtain an Angling Permit
- Information you provide to us as an employee
- Information you provide to us through the recruitment process.
- Information you provide to us if you are elected as a Harbour Commissioner such as title, name, address, email, telephone numbers, photo ID and declaration of interests
- IP addresses, geographic and browser information when you visit our website or sign on to our free Wi-Fi. Please refer to our Cookies Policy.

### **Children's personal data**

We do not knowingly collect or store any personal information about children under the age of 16 and we do not offer any of our products or services directly to children under the age of 16.

### **What we do with the information we gather**

We will process the personal data that you provide to us in the following ways:

- To service and administer your account with PHC.
- Process the payment of harbour fees.
- Internal reporting and record keeping.
- Licensing and regulatory activities
- Credit Checks
- Administrating Debt Recoveries
- To prevent and detect fraud
- To deliver the information you request.
- Managing health & safety
- Handling complaints and legal claims
- To provide your personal details to our insurers from time to time.
- Any authorised activity in our capacity as Competent Harbour Authority for the Camel Estuary such as the investigation and recording of incidents and accidents and prosecution of offences committed under harbour legislation.
- To contact you about an incident or accident in the harbour that you were directly involved in or have witnessed.
- The use (by PHC) of CCTV footage to support any complaints, incidents, accidents or investigations and if deemed, necessary, the footage can be used in support of a relevant prosecution
- To contact you by letter, email or otherwise and provide information in the form of a Notice to Mariners, safety or other general harbour communications.
- To contact you by letter or email with marketing information about Padstow Harbour. We will only contact you in this way if you have previously indicated your consent.
- Supporting and managing our employees
- Managing archived records for historical and research purposes
- To notify you of changes to our services

## Lawful basis for processing your personal information

For processing of personal data to be lawful, it must be carried out in accordance with one or more of the following lawful processing conditions:-

### Contractual obligations

We will process your personal information to carry out our responsibilities resulting from any agreements you have entered into with us and to provide you with the information, products and services you have asked from us. For example; to service and administer your PHC account or respond to your queries, refund requests and complaints. Handling the information you send enables us respond.

### Legal compliance

We may process your personal information to comply with any legal obligation we are subject to (not including contractual obligation). For example to comply with a common law or statutory obligation such as PHC Elections.

### Legitimate Interests

To use your personal data for any other purpose described in this privacy policy, we'll rely on a condition known as "legitimate interests". It's in our legitimate interests to collect your personal data as it provides us with the information that we need to provide our services to you more effectively. For example, providing navigational information in the form of a Notice to Mariners.

### Vital Interests

Personal data may be processed to protect the 'vital interests' of the data subject e.g. in a life or death situation it is permissible to use a person's emergency contact information without their consent.

### Public Interest

Personal data may be processed if the processing is necessary for the performance of tasks carried out by a public authority or private organisation acting in the public interest.

### Consent

We may provide you with news or marketing information about our services or products where you've provided your consent for us to do so.

### Opting Out

If you no longer wish to receive harbour news, safety or marketing information from PHC you can update your preferences or withdraw your consent to receive this type of information at any time.

- Select the 'unsubscribe' link published at the bottom of any email correspondence you receive from us or email [padstowharbour@btconnect.com](mailto:padstowharbour@btconnect.com) with the subject

heading Unsubscribe stating your full name and contact details and we will remove your details from the relevant record.

- Use the 'Contact Us' section of our website.
- Write to us at Padstow Harbour Commissioners, Harbour Office, Padstow, Cornwall, PL28 8AQ stating your full name and contact details.

### **Special category (sensitive) data**

We only hold sensitive data in relation to our employees and for persons providing a medical certificate for a Boatman's Licence.

Please be aware that the personal information you provide to us, and which we collect about you, is required for us to be able to provide our services to you and without it we may not be able to do so.

### **Sharing your personal data**

We do not sell or rent your personal information to third parties and we will not share your information with third parties for marketing purposes. We will only share your personal data as necessary for one of the lawful purposes for processing data as set out above.

Your data will be shared with colleagues within the organisation where it is necessary for them to undertake their duties.

We sometimes share your data with trusted third parties who may process your data as part of the services they carry out on our behalf. However, when we use third party service providers, we disclose only the personal information that is necessary to deliver the service and we have a contract in place that requires them to keep your information secure and not to use it for their own direct marketing purposes.

Why we share data:-

- The provision of a harbour management system to record and manage harbour activities.
- Credit and debit card processing.
- Offsite back up of information at secure data centres.
- Email communications
- Standing Order, Direct Debit or BAC's processing
- Third party providers for example IT specialists & HR services
- We use Mail Chimp to service emails which we use to provide news, safety or marketing information about Padstow Harbour by email.
- Legal obligation when a Section 29 request is served.

Parties with who it might be necessary for the following reasons:-

- When we reasonably believe it to be required by law or in connection with legal proceedings;
- To prevent harm to PHC or its employees
- For the prevention and detection of crime or the apprehension or prosecution of offenders
- To protect the rights and property of PHC.
- Providing personal data to others for the purposes of preventing fraud.
- To an organisation we sell or transfer (or enter to negotiations to sell or transfer) any of our businesses or any of our rights or obligations under any agreement we may have with you. If the transfer or sale goes ahead, the organisation receiving your personal data can use your personal data in the same way as us.

## Retention of your personal data

We will only retain your personal data for as long as we need to keep it and in line with our internal Data Retention Policy. In considering how long to retain your data we will always take into account factors such as any ongoing obligations we have to you, the nature of our relationship with you, legal requirements (e.g. in relation to HMRC statutory retention periods) and contractual requirements. We will always dispose of your data carefully when it is no longer necessary for us to retain it. We will only keep your personal information after this period if there is a legitimate business reason to do so.

## Security of your personal data and storage of information

We know how much data security matters to all our customers. With this in mind we treat your data with the utmost care and take all appropriate steps to protect it.

Any personal information which is collected, recorded or used in any way, whether on paper, online or any other media, will have appropriate safeguards applied in line with our data protection obligations.

Our website [www.padstow-harbour.co.uk](https://www.padstow-harbour.co.uk) is SSL Certified. This provides a secure https:// URL and padlock logo next to the address bar which lets you know you are on a trusted site.

Access to your Online Payment Portal is password-protected, and sensitive data (such as payment card information) is secured by (SSL) encryption. You are responsible for keeping your password confidential and we ask you not to share your password with anyone.

Our online payment solution is provided by an authorised 3<sup>rd</sup> party service supplier. Card details are not processed or stored by PHC but by a 3<sup>rd</sup> party banking company on their server e.g. Paypal. This means that when you input card data into the payment page, you are communicating directly with Paypal and they pass your payment onto us. Paypal transactions are subject to Paypal's Privacy Policy.

Unfortunately, the transmission of data across the internet is not completely secure. Although we do our best to protect the security of your information we cannot give a guarantee that loss, misuse or alteration of data will not occur whilst data is being transferred.

All information you provide is processed in the UK and European Economic Area (EEA) on secure servers. We may process your personal information using web services hosted outside the European Economic Area (EEA) but only where a data processing agreement is in place that complies with obligations equivalent to those of the Data Protection Act.

## Links with other websites

Our website may contain links to and from third party websites. These websites have their own privacy policies. If you follow a link to any of these websites, please make sure that you read their privacy policies before you submit any information to these websites. We do not accept any responsibility or liability for their policies.

## Your Rights – you have the right to see the personal data with hold about you. This is called a Subject Access Request (SAR)

An overview of your rights:-

To be informed	This Privacy Notice provides the information you are entitled to receive.
Access	<p>Please contact us if you would like confirmation that your data is being processed. If you wish to receive a copy of the personal information we hold on you, you may make a Subject Access Request (SAR).</p> <p>There is no charge for us providing you with this data and it will usually be provided within a month of the request (unless the request is unfounded or excessive). However, should we incur charges we reserve the right to pass on an administrative-cost fee.</p>
Rectification	<p>If your personal information is inaccurate or incomplete, you can request that it is corrected.</p> <p>You are responsible for informing us when your personal details have changed. Please note that notification of any change must be in writing. It is then our responsibility to update our records accordingly.</p>
Erasure	You may exercise your right to have your personal data erased in a number of circumstances (e.g. if the data is no longer necessary in relation to the purpose for which it was created or you withdraw your consent). Where possible we will comply with all such requests if there is not a compelling reason for PHC to continue to have it.
Restrict processing	You can tell us that we can keep your data but must stop processing it, including preventing future mailings and communications.
Data portability	Your data is held across manual records, electronic and a bespoke Harbour Management System. We will do our best to provide information in a portable format but it is unlikely that we can create systems to do so.
To object	In cases where we are processing your personal data on the basis of our legitimate interest, you can ask us to stop for reasons connected to your individual situation. We must then do so unless we believe we have a legitimate overriding reason to continue processing your personal data.

	<p>Whenever you have given us your consent to use your personal data, you have the right to change your mind at any time and withdraw that consent.</p> <p>We will stop processing your data for direct marketing if you tell us to.</p> <p>We will stop processing your data if you object to processing for purposes of research and statistics.</p>
Not to be subject to automated decision-making including profiling	We do not use any automated decision-making or profiling procedures.

If we choose not to action your request we will explain to you the reasons for our refusal. We reserve the right to judge what information we must continue to hold to be able to fulfil our contract with you or comply with our legal obligations.

To ask for your information, please contact Subject Access Requests, Padstow Harbour Commissioners, Harbour Office, Padstow, Cornwall, PL28 8AQ or email [padstowharbour@btconnect.com](mailto:padstowharbour@btconnect.com) with the subject heading **Subject Access Request**. To ask for your information to be amended, please email [padstowharbour@btconnect.com](mailto:padstowharbour@btconnect.com).

The Padstow Harbour Commissioners is not a ‘public authority’ as defined under the Freedom of Information Act and we will not therefore respond to requests for information made under this Act.

### Checking your identity

To protect the confidentiality of your information, we will ask you to verify your identity before proceeding with any request you make under this Privacy Policy. If you have authorised a third party to submit a request on your behalf, we will ask them to prove they have your permission to act.

## Questions or Complaints about how we process your personal information

Should you have any questions regarding this statement, please contact the Harbour Master on 01841 532239 or

### Write to us:-

The Harbour Master  
 Padstow Harbour Commissioners  
 Harbour Office  
 Padstow  
 Cornwall  
 PL28 8AQ

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO.