

PROTECTING YOUR PRIVACY

Dart Harbour & Navigation Authority

CONTENTS OF PRIVACY NOTICE

1. Introduction
2. What is The Dart Harbour & Navigation Authority?
3. Explaining the legal bases we rely on
4. When do we collect your personal data?
5. What sort of personal data do we collect?
6. How and why do we use your personal data?
7. How we protect your personal data
8. How long will we keep your personal data?
9. Who do we share your personal data with?
10. Where your personal data may be processed
11. What are your rights over your personal data?
12. How can you stop the use of your personal data for direct marketing?
13. Contacting the Regulator

1. Introduction

This Privacy Notice explains in detail the types of personal data we may collect about you when you interact with us. It also explains how we'll store and handle that data and keep it safe.

2. What is Dart Harbour & Navigation Authority?

The Dart Harbour & Navigation Authority – which we'll refer to as DHNA in this document – is a Trust Port. The Trust Port was originally constituted by Act of Parliament in 1897 and amalgamated with the River Dart Navigation Commission to form the Dart Harbour and Navigation Authority on 1st August 1975. Trust ports are independent statutory bodies established under local Acts of Parliament. They are run by boards of trustees who reinvest all profits for the benefit of all port users and wider regional and local interests. In 2006 a review of the corporate identity has led to the Authority being known as Dart Harbour.

Dart Harbour has a central role in the management of the Dart estuary, carrying many statutory responsibilities including maintaining a pilotage service and safe navigation within the harbour, waste management and oil spill contingency plans and making and enforcing harbour byelaws.

Dart Harbour has a significant direct and indirect influence over how the Dart is used and is seen as a gatekeeper in the socio-economic wellbeing of the Dart business and resident community.

Dart Harbour works with a range of organisations, groups, agencies, councils, clubs, communities, and businesses that also have a role to play in the management and future well-being of the River Dart and its various communities.

Dart Harbour maintains, manages its mooring stock and licences all moorings on the Dart and is responsible for the collection of Harbour Dues and fees.

3. Explaining the legal bases we rely on

The law on data protection sets out a number of different reasons for which an organisation may collect and process your personal data, including:

Consent

In specific situations, we can collect and process your data with your consent.

For example, when you tick a box to receive marketing communications.

When collecting your personal data, we'll always make clear to you which data is necessary in connection with a particular service.

Contractual obligations

In certain circumstances, we need your personal data to comply with our contractual obligations.

For example:

- when we allocate you a mooring,
- place you on a waiting list
- register your vessel for harbour dues.
- employ you as a member of staff
- appoint you as a Board Member of the Authority

Legal compliance

If the law requires us to, we may need to collect and process your data.

For example:

- When we pay you as a member of staff

Legitimate interest

In specific situations, we require your data to pursue our legitimate interests in a way which might reasonably be expected as part of running our organisation and which does not materially impact your rights, freedom or interests.

For example when we:-

- send you a copy of a notice to mariners.
- send you a copy of our newsletter
- when we inform you of new facilities
- when we ask you as stakeholders of your views
- in the interests of safe navigation or marine safety

4. When do we collect your personal data?

Your personal data is collected when you complete an application form to advise us that you own a boat for the purposes of payment of Harbour Dues, mooring licences or berthing fees, in person when visiting the harbour for visitor berthing, when you apply to join a waiting list for a mooring, apply for employment or board position, are appointed as a staff member or a board member or if you communicate with DHNA for other purposes.

5. What sort of personal data do we collect?

DHNA collects the following personal information from these different groups:

- Customers/Stakeholders - name, address (and billing address if supplied), email address, telephone numbers and boat details
- Agents for Customers – name, email and phone number
- Staff Members: name, address, email address, telephone numbers, NI number, HMC Tax information, bank account details, DOB, training details, medical and sickness details
- Board Members: DHNA collects name, address, email address, telephone numbers, DOB, NI number, bank account details, declarations of interests and pecuniary interests.

6. How and why do we use your personal data?

Of course, if you wish to change how we use your data, you'll find details in the 'What are my rights?' section below.

Here's how we'll use your personal data and why:

- To manage your mooring, boat(s) or waiting list applications
- For financial transactions concerning your boat, mooring, licence or waiting list application
- To inform you of activity on the river
- To ask your views regarding the management of the river
- To inform you of issues related to your vessel or mooring
- To inform you of harbour safety and navigation messages

7. How we protect your personal data

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

Access to your personal data is password-protected.

8. How long will we keep your personal data?

Whenever we collect or process your personal data, we'll only keep it for as long as is necessary for the purpose for which it was collected.

Customers: At the end of your contract period your account will be archived and kept for a period of seven years after which time your data will be deleted.

Waiting List Customers: Your details will be kept until you either become a customer or come off the waiting list. If you come off the waiting list your details will be kept for a period of seven years after which time it will be deleted.

Staff: After termination of your employment with DHNA your personal details will be kept for period of six years. Your name only may be mentioned in Board minutes in perpetuity.

Staff and Board Applicants. Application forms, CVs and information provided to apply for a job vacancy or Board vacancy will be kept for a period of six months after the post has been filled.

Board Members: Declarations of Interests and personal contact details will be deleted after a period of seven years after coming off the Board. Biographies will be deleted when Board Members come off the Board. Board Members' names may be published in the minutes and other Authority documents in perpetuity.

9. Who do we share your personal data with?

We sometimes share your personal data with trusted third parties.

We may share your information with our third party service providers, agents, subcontractors and other associated organisations for the purposes of completing tasks and providing services to you on your behalf, for example IT and cloud services or regulatory bodies. 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 purposes.

Here's the policy we apply to those organisations to keep your data safe and protect your privacy:

- We provide only the information they need to perform their specific services.
- They may only use your data for the exact purposes we specify in our contract with them.
- We work closely with them to ensure that your privacy is respected and protected at all times.
- If we stop using their services, any of your data held by them will either be deleted or rendered anonymous.

Examples of the kind of third parties we work with are:

- IT companies who support our website, harbour management system, HR and Staff systems and other business systems. Those who provide professional services (for example accountants/auditors or lawyers).

We currently use the following third parties to process your personal information:

- Viking Systems Ltd (Harbour Assist)
- Microsoft (Microsoft Office)
- The Sage Group (Sage)
- BreatheHR (BreatheHR) (Staff only)
- Rocket Science Group (Mailchimp)
- Northcott Trumfield Chartered Accountants
- AB Multi Media Ltd (Website Developers)
- Smart Brown Dog Ltd (PR, Marketing, Web and IT adviser)

Sharing your data with third parties for their own purposes:

We will only do this in very specific circumstances, for example:

- We may also be required to disclose your personal data to the police or other enforcement, regulatory or Government body, upon a valid request to do so. These requests are assessed on a case-by-case basis and take the privacy of our customers into consideration.

10. Where your personal data may be processed

Sometimes we will need to share your personal data with third parties and suppliers outside the European Economic Area (EEA), such as the USA.

Protecting your data outside the EEA

The EEA includes all EU Member countries as well as Iceland, Liechtenstein and Norway. We may transfer personal data that we collect from you to third-party data processors in countries that are outside the EEA.

For example, this might be required by our software application suppliers.

If we do this, we ensure your data receives the same protection as if it were being processed inside the EEA. For example, our contracts with third parties stipulate the standards they must follow at all times.

Any transfer of your personal data will follow applicable laws and we will treat the information under the guiding principles of this Privacy Notice.

11. What are your rights over your personal data?

An overview of your different rights

You have the right to request:

- Access to the personal data we hold about you, free of charge in most cases.
- The correction of your personal data when incorrect, out of date or incomplete.
- For example, when you withdraw consent, or object and we have no legitimate overriding interest, or once the purpose for which we hold the data has come to an end
- That we stop using your personal data for direct marketing (either through specific channels, or all channels).
- That we stop any consent-based processing of your personal data after you withdraw that consent.

You have the right to request a copy of any information about you that the DHNA holds at any time, and also to have that information corrected if it is inaccurate. To ask for your information or have it corrected, please contact **Dart Harbour & Navigation Authority (DHNA) 6 Oxford Street, Dartmouth, Devon, TQ6 9AL** or email info@dartharbour.org

If we choose not to action your request we will explain to you the reasons for our refusal.

Your right to withdraw consent

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.

Where we rely on our legitimate interest

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.

Direct marketing

You have the right to stop the use of your personal data for direct marketing activity through all channels, or selected channels. We must always comply with your request.

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 Notice. 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.

12. How can you stop the use of your personal data for direct marketing?

There are several ways you can stop direct marketing communications from us:

- Click the 'unsubscribe' link in any email communication that we send you. We will then stop any further marketing emails.
- Write to **Dart Harbour & Navigation Authority (DHNA) 6 Oxford Street, Dartmouth, Devon, TQ6 9AL**

Please note that you may continue to receive communications for a short period after changing your preferences while our systems are fully updated.

13. Contacting the Regulator

If you feel that your data has not been handled correctly, or you are unhappy with our response to any requests you have made to us regarding the use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office.

You can contact them by calling [0303 123 1113](tel:03031231113).

Or go online to www.ico.org.uk/concerns (opens in a new window; please note we can't be responsible for the content of external websites)

19th July 2018