



LYMINGTON
HARBOUR

PRIVACY POLICY

Lymington Harbour Commissioners (LHC) is committed to ensuring that your privacy is protected. This Privacy Policy explains the personal information we collect from you, either directly or indirectly, what we do with it and who it might be shared with. It also covers the choices you can make about the data we collect, and how you can control those decisions.

We may need to change this Privacy Policy at any time and from time to time. The most recent version of the Privacy Policy is reflected by the version date located at the bottom of this Privacy Policy. All updates and amendments are effective immediately upon notice, which we may give by any means, including but not limited to, by posting a revised version of this Privacy Policy or other notice on the website.

HOW DO WE COLLECT INFORMATION FROM YOU?

We may collect personal information from you in the following ways:

- (a) From you telling us verbally when you agree to take a service or product with us.
- (b) From you completing and/or providing documentation when you agree to take a service or product with us. This may be in paper or electronic format.
- (c) From you when you contact us with an enquiry or in response to a communication from us.
- (d) From you 'opting in' to receive news, safety or marketing information about Lymington Harbour through an electronic subscription via our website or when connecting to receive free Wi-Fi.
- (e) Through the use of cookies when you visit our website. Please see the section 'Use of Our Website & Cookies' below.

WHAT INFORMATION DO WE COLLECT FROM YOU?

Information collected directly from you may include your title, name, address, date of birth, email address, telephone numbers, payment information, particulars of your vessel, photo ID and IP addresses and information provided by cookies or similar technology.

To evidence that you meet the eligibility criteria for a mooring we require proof of boat ownership and proof of local residency. This will include documents which contain your personal details such as a driving licence, council tax, utility bill, boat insurance policy or bill of sale.

WHY DO WE COLLECT THIS INFORMATION & WHAT IS THE LAWFUL BASIS FOR DOING SO?

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.

- (a) Where processing is granted with the **consent** of the data subject;
- (b) Where processing is necessary for the performance of a **contract** to which the data subject is party or to take steps to enter into a contract;

- (c) Where processing is necessary for compliance with a **legal obligation** to which the controller is subject;
- (d) Where processing is necessary in order to protect the **vital interests** of the data subject or another person;
- (e) Where 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;
- (f) Where processing is necessary for the purposes of the **legitimate interests** pursued by the controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.

Please note that LHC do not require your consent where we are relying on other lawful bases for processing your data; for example where processing is necessary for a contract or for the purposes of Lymington Harbour Commissioners or a third party's legitimate interests. Examples where we will rely on other lawful bases apart from consent include:-

- (a) Where you agree to enter into a contract or take a product or service from us such as an annual or temporary mooring licence; a visitor mooring; use of the slipway to launch or recover a boat, use of our scrubbing grid, long term licences or leases of buildings or property, and miscellaneous services.
- (b) Any authorised activity in our capacity as Statutory Harbour Authority for Lymington River such as the investigation and recording of incidents or accidents, and prosecution of offences committed under harbour legislation.

Examples where we (or a third party vendor) will rely on your consent as the lawful basis for processing your data include:-

- (a) where we offer electronic updates (by email or text) related to harbour news, local notices to mariners or marketing information. You will only receive this information if you have opted to receive through our website, when logging in to receive Wi-Fi provided by LHC, or when paying for a product or service we provide. You can update your preferences or withdraw your consent to receive this information at any time by selecting the 'change preferences' or 'unsubscribe' link published at the bottom of all email correspondence of this type. Alternatively, you can email the Data Controller at privacy@lymingtonharbour.co.uk to change your preferences and we will remove your details from the relevant record.
- (b) where we use reputable online companies like Google, Mailchimp Ltd, or Survey Monkey to assist us to record your participation in events, service emails, or to undertake customer satisfaction surveys. In this case we will invite you to participate. If you choose to take part, you provide information to them which we can access.

WHO MIGHT WE SHARE YOUR INFORMATION WITH?

We do not sell or pass your personal information to any external party other than those we inform you about in advance. We will only share your personal data as necessary for one of the lawful purposes for processing data set out above.

We may share information with the following types of third parties:-

- (a) **Third Party Vendors.** We use a variety of third party vendors to carry out services like:-
 - the provision of harbour management systems to record and manage harbour activities including the management of products and services we provide. This includes processing of payments for products and services we provide including online purchases and recording of incidents and accidents occurring in the harbour and the purchase and use of electricity.

- Credit and debit card processing.
- Standing order or BAC's processing.
- Email communications.
- offsite back up of information at secure data centres in the UK or European Union.
- we use reputable online survey organisations like Google (Google Forms), or Survey Monkey to record your participation in events or to undertake customer satisfaction surveys. In this case we will invite you to participate. If you choose to take part you provide information directly to them which we can access. Google (Google Forms) and Survey Monkey publish their own terms and conditions related to privacy and your use of their services.
- we use Mail Chimp to service emails which we use to provide news, safety or marketing information about Lymington Harbour by email. You will only receive this information if you have opted to receive through our website, when logging in to receive Wi-Fi provided by LHC, or when paying for a product or service we provide. When signing up to receive this information you must also accept the Mail Chimp terms of service and privacy policy. You can change your preferences or unsubscribe at any time using the links at the bottom of each email of this type.

We may sometimes use third party data processors that are located outside of the European Economic Area ("the EEA") The EEA consists of all European Union (EU) member states, plus Norway, Iceland, and Liechtenstein. Where we transfer any personal data outside the EEA, we will only use companies that have adopted international data-transfer mechanisms that are either certified under the EU – United States Privacy Shield framework or EU approved Model Contract Clauses. These are legal mechanisms approved by the EU to enable the transfer of personal data where certified organisations guarantee to provide a level of protection in line with EU data protection law.

The up to date list of third-party agents used by LHC may be requested from the Data Controller at privacy@lymingtonharbour.co.uk.

(b) Parties with whom 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 LHC or its employees;
- for the prevention and detection of crime or the apprehension or prosecution of offenders;
- to protect the rights and property of LHC.

WHAT DO WE DO WITH YOUR INFORMATION?

Information you provide or we hold about you may be used by us or our agents (or both) to:-

- identify you when you contact us;
- internal record keeping;
- identify if you meet our eligibility criteria (where applicable) for taking products or services we provide;
- to administer and contact you about accounts and records related to your application to take products or services we have provided before, or provide now or in the future;
- help to prevent and detect fraud or loss;
- contact you by email about news, safety or marketing information about Lymington Harbour. We will only contact you in this way if you have previously indicated your consent.

- to contact you about an incident or accident in the harbour that you were directly involved in or have witnessed.
- Where you give us information on behalf of someone else (for example if a boat is in shared ownership), you confirm that you have provided them with the information set out in this privacy notice, and that they agree to the uses of their personal information described in it.
- provide a better website service tailored to your use. Please see the section 'Use of Our Website and Cookies' below.

USE OF OUR OFFICIAL WEBSITE & COOKIES

Cookies

When you use our website, we may use 'cookies' to monitor how people use our site. This helps us to understand how our customers and potential customers use our website so we can develop and improve the design, layout and function of the sites.

A cookie is a piece of information that is stored on your computer's hard drive, which records how you have used a website. This means that when you go back to that website, it can give you tailored options based on the information it has stored about your last visit.

If you do not want us to use cookies in your browser, you can set your browser to reject cookies or tell you when a website tries to put a cookie on your computer. However, you may not be able to use some of the products or services on our website without cookies.

Links to other websites

Our website may contain links to other websites of interest. However, once you have used these links to leave our site, please remember that we are not responsible for the privacy practices of those other sites. Therefore, we cannot be responsible for the protection and privacy of any information you provide while visiting these other sites.

HOW LONG DO WE HOLD INFORMATION FOR?

LHC holds personal data for as long as is necessary to provide products or services, complete transactions that you have taken or requested, and for other essential purposes such as complying with our legal obligations, and resolving disputes and enforcing our agreements. Because these needs can vary for different data types in the context of different products or services, actual retention periods can vary significantly.

IS MY PERSONAL INFORMATION SECURE?

LHC is committed to protecting the security of your personal data. While no service is completely secure, LHC takes precautionary measures to prevent the loss, theft, misuse and unauthorised access, disclosure, alteration and destruction of your personal information.

For example, to protect your data we use a variety of IT industry approved security technologies and procedures including using computer systems and servers that are in controlled facilities which can only be accessed by authorised persons using the correct authentication credentials.

When transmitting over the internet, we use strong levels of encryption.

If you have any questions about the security of your personal information, you can contact us at privacy@lymingtonharbour.co.uk

WHAT ARE YOUR RIGHTS?

You have the following rights:

- To be provided with specified information at the time data is obtained including: the purposes of the processing for which the personal data are intended; the legal basis for the processing; and where relied on, the legitimate interests pursued by a controller or third party.
- Access to the personal data that we hold about you, free of charge in most cases.
- The correction of your personal data when incorrect, out of date, or incomplete. This includes a right to erasure in certain specified circumstances.
- To us stopping any consent based processing of your data after you withdraw that consent.
- Not to be subject to automated decision making including profiling.
- The right to data portability to allow individuals to obtain and reuse their personal data for their own purposes across different services.

HOW CAN I ACCESS THE INFORMATION YOU HOLD ABOUT ME?

If you wish to access, edit or remove your personal information (where permitted) you can do so by sending us an email to privacy@lymingtonharbour.co.uk or by registered letter to Lymington Harbour Commissioners, Harbour Office, Bath Road, Lymington, SO41 3SE.

We will respond to any request to access, amend or delete your personal data within 30 days.

Lymington Harbour Commissioners is a Data Controller for personal data we collect and process in accordance with this policy.

Frances Moores (Treasurer) is our Data Protection Officer and can be contacted at the following address; Lymington Harbour Commissioners, Harbour Office, Bath Road, Lymington, Hampshire, SO41 3SE or by email at privacy@lymingtonharbour.co.uk

If you have any concerns about the way in which we collect, process and use your personal information you are entitled to contact the Information Commissioners Office (ICO). The ICO can be contacted on 0303 123 1113.

Last Updated 18/03/2019