

## **PRIVACY NOTICE – CREW - VISITING VESSELS**

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### **WHAT IS THE PURPOSE OF THIS DOCUMENT?**

The Trustees of Inverness Harbour (Port of Inverness) is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about during and after your 'port call' with us, in accordance with data protection legislation, including the General Data Protection Regulation (GDPR) and Data Protection Act 2018 (DPA), as may be amended from time to time.

It applies to all crew and passengers.

We are required under data protection legislation to notify you of the information contained in this privacy notice.

The Port of Inverness will be a 'data processor' in respect of information provided to them within crew and passenger lists.

We may update this notice at any time.

It is important that you read this notice, together with any other relevant data protection policies or privacy notices we may provide on specific occasions, so that you are aware of how and why we are using such information.

### **THE KIND OF INFORMATION WE HOLD ABOUT YOU**

We will/may collect, store, and use the following categories of personal information about you:

Where the list of crew which relates to seamen employed under a crew agreement:

- (i) name;
- (ii) gender;
- (iii) number of current discharge book, passport, nationality, date and place of birth;
- (iv) the capacity in which they are employed in the ship;
- (v) the grade (including any command, service or other endorsement) and number of any certificate of competency or of service held by them;

In addition, we may also collect;

- CCTV images; and
- Photographs.

### **HOW IS YOUR PERSONAL INFORMATION COLLECTED?**

We collect personal information from the shipping agent, master or owner of the vessel.

### **HOW WE WILL USE INFORMATION ABOUT YOU**

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We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to comply with a legal obligation;
2. Where we need to protect the public interest;
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
4. Where it is needed in the public interest or for official purposes.

### **Situations in which we will use your personal information**

We need all the categories of information in the list above to enable us to comply with legal obligations. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

- Complying with legal obligations
- Complying with health and safety obligations.

### **If personal information is not provided**

If certain information is not provided when requested, we may be prevented from complying with our legal obligations and the vessel may not be allowed to berth.

### **Change of purpose**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

### **HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION**

“Special categories” of particularly sensitive personal information require higher levels of protection. We may process special categories of personal information in the following circumstances:

1. Where we need to carry out our legal obligations and in line with our Data Protection Policy.
2. Where it is needed in the public interest, and in line with our Data Protection Policy.

### **Do we need your consent?**

We do not need your consent if we use special categories of your personal information in accordance with our Data Protection Policy to carry out our legal obligations or if it for reasons of substantial public interest.

### **INFORMATION ABOUT CRIMINAL CONVICTIONS**

We do not envisage that we will hold information about criminal convictions.

### AUTOMATED DECISION-MAKING

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

### DATA SHARING

We do not share your data with third parties except where required by law e.g. Border Force.

### DATA SECURITY

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

### DATA RETENTION

#### How long will you use/hold my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

### RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

#### Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** (commonly known as a “data subject access request”).
- **Request correction** This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it.
- **Object to processing** Where we are relying on a legitimate interest (or those of a third party).
- **Request the restriction of processing** This allows you to ask us to suspend the processing of personal information about you.
- **Request the transfer** of your personal information to another party when the information is stored and processed automatically.

If you want to exercise any of the above rights, please contact the Harbour Master in writing.

#### No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

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### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights).

### **DATA PROTECTION COMPLIANCE**

We have appointed a data protection compliance manager to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the data protection compliance manager.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

### **CHANGES TO THIS PRIVACY NOTICE**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

**If you have any questions about this privacy notice, please contact Capt Ken Maclean, Harbour Master, Tel: 01463 715715.**