

# Topsham Mooring Owners Association

## Data protection policy

Please find below the Data Protection Policy which Topsham Mooring Owners Association ('TMOA' or 'Association') is legally obliged to make available to Members.

### About This Policy

TMOA may collect, use and store your personal data, as described in this Data Protection Policy.

It may be necessary to amend the Data Privacy Policy from time to time without prior notice. You are advised to check the Association website [Topsham-Moorings.com](http://Topsham-Moorings.com) for any amendments to this Policy. Any amendments will not be applied retrospectively.

We shall always comply with the General Data Protection Regulation (GDPR) when dealing with your personal data. Further details on the GDPR can be found at the Information Commissioner's website ([www.ico.org.uk](http://www.ico.org.uk)).

### Who Are We

The data controller is Topsham Mooring Owners Association, which is registered with the Information Commissioner – [www.ico.org.uk](http://www.ico.org.uk)). The Data Protection officer is currently Nick Coleman – [Secretary@Topsham-Moorings.com](mailto:Secretary@Topsham-Moorings.com)

### The Legal Basis on which we rely

The law on data protection defines a number of specific reasons for which a company may collect and process your personal data. The Association uses four of these reasons.

- In specific situations we can collect and process your data with your **consent**. An example of this is where we request your consent to keep you informed via newsletters.
- In certain circumstances we need your personal data to comply with our **contractual obligations**. An example of this is that there is a license contract between TMOA and each mooring licensee. We collect your necessary personal details in order to be able to administer the service around your license of a mooring location.
- In some circumstances, we need your personal data to comply with our **legal obligations**. For example this would include our statutory obligation to provide personal data to Companies House relating to Directors, and maintaining a Register of Members of the Association. This would also include verifying the accounting records associated with the authenticit or source of money received by TMOA for license or admin fees.

- In specific situations we require your data to pursue our **legitimate interests** in a way which might reasonably be expected as part of running the Association and which does not materially impact your rights, freedom or interests. An example of this would be the emails or letters that we may need to send to you in support of your Membership and account.

### **Examples of when personal data may be collected include:**

- When you register as a licence or where you are a tenant of a licensee.
- When you apply for Membership of the Association
- You join any Association Committee or volunteer for the Association in any other capacity
- You join us as a member of staff, or agree to become a contractor for us
- When you participate in any Association organised event, such as the AGM or another relevant TMOA meeting.
- When you undertake any training or social event run by the Association
- When you contact us by any means with queries, complaints etc.
- When you choose to complete a Association survey that we send to you
- When you send us information and data such as Member experiences and photographs for use on the Association Website and or Association newsletter

### **Personal Data We May Hold**

As a TMOA Member personal data we may hold includes, your name, title, address, telephone numbers, email address, associated family member details, emergency contact details and the details of any tenants you may chose to rent your mooring to.

We will also hold your boat details, and information about the Insurance you hold for your boat.

We may also collect information you supply for the Website or newsletter.

Where applicable, the necessary consent will be sought for the taking of and use of photographs or video.

When you make a payment for Membership renewal or an admin fee, we do not hold card or bank account information in our systems.

The cookie policy can be read at the bottom of the Website front page.

### **Why do we collect this data?**

When we collect personal data from you directly, we will explain the reason for collecting the personal data.

To fulfil a contract with you:

- To administer your Membership and to provide Membership information and Membership benefits to you
- To notify you about changes to your Membership benefits, facilities or services
- To provide you with any products and services that you request from us including: Licence to a mooring location, administration services associated with the location of a mooring.
- When you have opted in to receive email newsletters.

When it is in our legitimate interests, and our interests are not overridden by your own interests:

- To notify you of any changes or proposed changes to mooring and other related activities which we feel may be of interest to you
- To ask questions for the purposes of obtaining Member feedback on the operation of the Association such that the Association may continue to develop and support its Members
- To provide you, with information about services we feel may interest you that are similar to those that you have already obtained, purchased or enquired about
- We may process any of your personal data identified in this Policy where necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative out-of-court procedure. The legal basis for this processing is our legitimate interests, namely the protection and assertion of the Association's legal rights, your legal rights and the legal rights of others

Where is it part of our legal obligations, including:

- To notify you of any changes or proposed changes to the Association, it's Articles or Bye- laws, or Association Rules.

### **Where is your data stored?**

Your information is held within cloud computer systems operated by Microsoft's office 365, and Airtable.com using two factor authentication at all times, or by one of our data processing partners (primarily accounting services).

### **Protection of your data**

We will not transfer your personal data outside the UK or EU without your consent.

We have implemented generally accepted standards of technology and operational security in order to protect personal data from loss, misuse, or unauthorised alteration or destruction.

Please note however that when you are transmitting information to us over the internet this can never be guaranteed to be 100% secure.

We will notify you promptly in the event of any breach of your personal data which might expose you to serious risk.

## **Who else has access to the information you provide?**

We will never sell your personal data. We will not share your personal data with any third parties without your prior consent (which you are free to withhold) except where we are required to do so by law or as set out in the paragraphs below.

We may pass your personal data to third parties who are service providers, agents and subcontractors to us for the purposes of completing tasks and providing services to you on our behalf (e.g. to print newsletters and send you mailings). We do this for the purpose of our legitimate interests in operating the Association and for performing our contract with you. However, we disclose only the personal data that is necessary for the third party to deliver the service. It is possible that third parties may themselves engage others (sub-processors) to process your data. Where this is the case third parties will be required to have contractual arrangements with their sub-processor(s) that ensure your information is kept secure and not used for their own purposes.

We may also pass your personal data to the Royal Yachting Association (RYA) for the purposes of carrying out surveys when it is in the legitimate interest of the Association and the RYA to do so. The RYA may use third parties to carry out the surveys but disclose only the personal data that is necessary for the third party to do so and will have a contract in place that require the third party to keep your information secure and not to use it for their own purposes.

## **How long will we hold your data?**

We will hold your personal data on our systems for as long as you are a member of the Association and for as long afterwards as it is in the Association's legitimate interest to do so or for as long as is necessary to comply with our legal obligations. We will review your personal data every year to establish whether we are still entitled to process it. If we decide that we are not entitled to do so, we will stop processing your personal data except that we will retain your personal data in an archived form in order to be able to comply with future legal obligations e.g. compliance with tax requirements and exemptions, and the establishment, exercise or defence of legal claims.

We securely destroy all financial information once we have used it and no longer need it.

## **Your Rights Under GDPR**

- To access your personal data
- To be provided with information about how your personal data is processed
- To have your personal data corrected
- To have your personal data erased in certain circumstances
- To object to or restrict how your personal data is processed

- To have your personal data transferred to yourself or to another business in certain circumstances

If you have any concerns about our use of your personal data, or wish to withdraw consent you can contact us at:

[Secretary@Topsham-Moorings.com](mailto:Secretary@Topsham-Moorings.com)

You have the right to take any complaints about how we process your personal data to the Information Commissioner:

<https://ico.org.uk/concerns/>

Helpline on 0303 123 1113

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9  
5AF