

**PRIVACY NOTICE**  
**THIRD PARTIES**  
**JANUARY 2019**

**PLEASE READ THIS NOTICE CAREFULLY. IT CONTAINS IMPORTANT INFORMATION ABOUT HOW WE  
PROCESS YOUR PERSONAL INFORMATION.**

**WHO WE ARE AND HOW WE APPROACH DATA PRIVACY**

We are Newhaven Port & Properties Limited (Company Registration No. 01923744, Registered Office: Port Administration Office, East Quay, Newhaven, East Sussex, BN9 0BN).

We are the Data Controller for the purposes of data protection laws.

As a company we are committed to protecting and respecting the privacy of your personal information. We want you to be confident that your information will be properly protected whilst in our possession.

This notice explains how we, and carefully selected third parties we work with, will collect and use the personal information of our customers, suppliers, prospects, ex-employees, and users of our websites. If this describes you, please read this notice carefully and make sure you're comfortable with the content.

If you have any questions about our use of your personal information, or you wish to exercise one of your rights under data protection legislation, please contact us. A summary of your rights is detailed in this notice.

**OUR WEBSITE**

This notice details how we use information you provide to us, including through the "Contact Us" function on our website: <https://www.newhavenport.com> referred to in this notice as our **Site**.

The Site may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

Unfortunately, the transmission of information through the internet is never completely secure. Although we do our best to protect your personal data at all times, we cannot guarantee the security of the data you send to us through our Sites. Any transmission made is therefore at your own risk. Once we have received your information we use strict procedures and security features to protect against unauthorised access.

**HOW WE USE YOUR PERSONAL DATA**

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

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate business interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

**INFORMATION WE COLLECT FROM YOU AND THE PURPOSES FOR WHICH WE WILL USE IT**

We hope the following table helps you to understand what information we may collect, in what circumstances and how we use that information (including how long we retain it for).

Category of information	Where it comes from	What is collected and how we use that information	How long we will keep it for
Information you give to us (Voluntary information from direct interactions)	This is information you give to us about you as:		
	<ul style="list-style-type: none"> <li>Part of a contract for mooring</li> </ul>	<p>Name, address, email address, home telephone and mobile telephone numbers, vessel name and details, insurance details, surveyors reports, personal qualifications, vessel classification and certificates, seafarers medical certificates</p> <p>It is necessary for us to obtain and process this information in order to enter into, and perform, our <b>contract</b> with you to provide our services.</p>	for the duration of the contract plus 5 years
	<ul style="list-style-type: none"> <li>Contacting us with an enquiry or to report a problem with our products, services or our Sites.</li> </ul>	<p>In order to process your enquiry and/or investigate a problem we may ask you to provide contact information (name, address, telephone number, email address).</p> <p>We will only use your personal information to investigate and respond to you with the outcome of your enquiry/our investigation.</p> <p>You do not have to provide this information to us, it is entirely voluntary. However, we may be limited in our ability to respond to you if contact information is not provided. We will only correspond with you in the way you have asked us to.</p> <p>It is in our <b>legitimate business interests</b> to process this information in order to deal with your enquiry/investigate the problem you've raised. We'll ensure your rights are protected.</p>	<p>2 years</p> <p>Access to this information will be restricted on a "need to know" basis.</p>
	<ul style="list-style-type: none"> <li>Business contact information.</li> </ul>	<p>We will keep:</p> <ul style="list-style-type: none"> <li>a record of business contacts of our suppliers, advisers, agents and clients and their contact information in order to manage our commercial relationship with that third party and perform contractual obligations (i.e. it is necessary for us to perform a <b>contract</b>);</li> <li>a record of contacts from competent authorities and regulators linked to our industry, together with their contact information, in order to comply with a <b>legal obligation</b>; and</li> <li>a record of prospective business contacts. This is in our <b>legitimate business interests</b> (i.e. we have a justifiable reason for processing information in this way).</li> </ul>	7 years
	<ul style="list-style-type: none"> <li>Being a former employee or worker of Newhaven Port &amp; Properties Limited.</li> </ul>	We will retain your personal data after your employment or engagement in accordance with our separate Privacy Notice for Employees and Workers. Please contact us at <a href="mailto:admin@newhavenport.com">admin@newhavenport.com</a> if you would like a copy of this Privacy Notice.	As set out in our Privacy Notice for Employees and Workers.
	<ul style="list-style-type: none"> <li>filling in a job</li> </ul>	If you apply for a job, either directly to us or though our Site,	Your

Category of information	Where it comes from	What is collected and how we use that information	How long we will keep it for
	<p>application and the subsequent application process;</p>	<p>you will be asked to complete our application form or submit a CV. This will involve submission of personal information about you (including your name, address (current and historic), telephone number, email address, job history and qualifications).</p> <p>A free text box may also be provided to allow you to upload additional information you feel may be relevant to your application. Completion of this field is optional. You should only add personal information in this text box if you are comfortable for us to process it in accordance with this notice.</p> <p>As part of your application you may be asked for equal opportunities information. This is optional. You do not have to supply it. Failure to provide this information will not impact your application. We will initially process this information with your consent. After initial collection, this information will be anonymised and used only for statistical purposes.</p> <p>All of the information you provide during the application process will only be used for the purpose of processing your application (prior to possibly entering into a contract), or to fulfil legal requirements. This includes any information collected during the interview process.</p> <p>We will not share any of this personal information for marketing purposes. The information you provide will be stored securely by us and our data processors. This captures data in both electronic and paper form.</p> <p>We will use the contact information you provide to keep you up to date on the progress of your application. We will use the other information you provide to assess your suitability for the role you have applied for.</p> <p>If we may a conditional offer of employment or contract we may ask you provide additional information so that we can carry out pre-employment checks (such as proof of ID, proof of qualifications, referees, health information, driving licence status).</p> <p>Information about your health is a special category of data and we will need your express consent to process it.</p> <p>If you're asked to provide referee contact information, please ensure you firstly have the consent of that information to provide his/her contact information to us.</p> <p>You may also be asked to provide evidence of your right to work in the UK and/or complete a Disclosure and Barring Service check.</p> <p>If you are successful in your application, we will provide you</p>	<p>personal information will be held for the duration of the application process.</p> <p>If successful, your personal information will be retained and held in line with your <b>PRIVACY NOTICE FOR EMPLOYEES AND WORKERS.</b></p> <p>If unsuccessful and you consent to us keeping your data on file, it will be held for 6 months following notification of the outcome of your application. If you do not consent we will delete your data within 30 days.</p>

Category of information	Where it comes from	What is collected and how we use that information	How long we will keep it for
		<p>wish a further notice (a PRIVACY NOTICE FOR EMPLOYEES AND WORKERS) to advise how we handle the personal data of our staff, contractors and workers. You will receive a copy of this at your induction.</p> <p>If you are unsuccessful we may ask for your consent to keep information on file in case any other opportunities arise which we feel may be of interest.</p>	
<p><b>Information we collect about you and your device (automated technologies or interactions)</b></p>	<p>Each time you visit our website we will automatically collect the following information:</p> <ul style="list-style-type: none"> <li>technical information, including your operating system, the browser you use (<b>Device Information</b>);</li> <li>details of your use of our website including traffic data, the resources you use, where you have clicked through to our website from that of a third party, the domain name of the connecting website (<b>Log Information</b>);</li> </ul>	<p>Some online identifiers (such as static IP addresses) are your personal information.</p> <p>We collect Device Information so that we can ensure adequate technical support for our website and ensure it is functioning properly on all operating systems/browsers. We want to ensure the content of our website is being presented to you in the most appropriate way to ensure it is easy to use/navigate. We also need this information in order to allow you to participate in interactive features on the website where you chose to do so.</p> <p>We collect Log Information so that we can better understand how our website is used and improve its functionality/content. We want to provide you with a customised service.</p> <p>These activities are in our <b>legitimate business interests</b> (i.e. we have a justifiable reason for processing your information in this way).</p> <p>We use cookies on our Site:</p> <ul style="list-style-type: none"> <li>a cookie is a small text file sent to your computer or device;</li> <li>a pixel tag is an invisible tag placed on certain parts of our Site. It does not leave a footprint on your computer/device.</li> </ul> <p>Pixel tags and cookies work together to tailor the Site.</p> <p>You can manage this automatic collection of data by adjusting your cookie settings. More information can be found at <a href="https://www.newhavenport.com/newhaven-port-authority/cookie-policy.html">https://www.newhavenport.com/newhaven-port-authority/cookie-policy.html</a> and <a href="http://www.allaboutcookies.org/">http://www.allaboutcookies.org/</a></p>	<p>These retention periods are set by Google Analytics. Find out more about this here: <a href="https://developers.google.com/analytics/devguides/collection/analyticss/cookie-usage">https://developers.google.com/analytics/devguides/collection/analyticss/cookie-usage</a></p>
<p><b>Our use of CCTV</b></p>	<p>We may collect static or moving imagery via CCTV or surveillance systems.</p>	<p>We may use CCTV for a number of purposes including:</p> <ul style="list-style-type: none"> <li>to ensure the personal safety of staff, visitors and other members of the public and to act as a deterrent against crime;</li> <li>to assist in the identification and monitoring of vessels</li> <li>to assist in incident investigations and marine safety</li> <li>to comply with our regulatory obligations; and</li> <li>to respond to Subject Access Requests</li> </ul> <p>We have a regulatory requirement to use CCTV in some</p>	<p>Under normal circumstances, imagery will be deleted within 30 days. Imagery required for investigative</p>

Category of information	Where it comes from	What is collected and how we use that information	How long we will keep it for
		situations. Where this is not the case, we believe it is in our legitimate business interests to use CCTV (i.e. we have a justifiable reason for processing your information).	or evidential purposes may be retained beyond 30 days. In these circumstances, it will be securely disposed of upon completion/conclusion of the purpose for which it has been retained.

**Do I have to provide this information?**

In most cases the personal information you provide to us in the table above is entirely voluntary. You are not under a statutory or contractual obligation to provide it to us.

However, where we need to collect personal data under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

**PROVIDING US WITH PERSONAL INFORMATION OF ANOTHER PERSON**

If you need to provide us with personal information about another person you must obtain that individual's **express consent** to pass us their information. You should share this notice with those individuals as it may also apply to them.

**MARKETING**

We will not use your personal information to directly market our products and services to you.

**AUTOMATED DECISION-MAKING**

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

1. Where we have notified you of the decision and given you 21 days to request a reconsideration.
2. For performing our contract with you and appropriate measures are in place to safeguard your rights.
3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written **consent** or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

## **DATA SHARING**

### **Why might you share my personal information with third parties?**

We may have to share your personal data with the parties set out below for the purposes set out in the table above:

- Carefully selected third parties who provide a service to us to support our core operations, such as: processing our mail, communicating with customers and prospective customers on our behalf (including via social media), providing IT systems and administrative services and the development and improvement of internal systems and processes;
- Competent authorities (statutory bodies, regulatory authorities, authorised bodies who have a role laid out by law);
- Other organisations where we are legally obligated to disclose your personal information (such as requests made in the prevention and detection of crime) or where disclosure is necessary to protect the property, rights and safety of us and our staff;
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice;
- Other companies where we are trialling products and services which we consider may improve our offering to customers and/or our business processes; and
- Other third parties where you have given your express **consent** or where we reasonably believe a third party is acting on your behalf.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

### **International Transfers**

We do not transfer your personal data outside the European Economic Area (EEA).

## **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, contractors 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.

## **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** to your personal information (commonly known as a “data subject access request”). This

enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact us at [admin@newhavenport.com](mailto:admin@newhavenport.com).

### **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.

### **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). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

### **DATA REPRESENTATIVE**

We have appointed a Data Privacy 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 [admin@newhavenport.com](mailto:admin@newhavenport.com).

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 NOTICE**

We keep this notice under regular review. Any changes we make to this notice will be posted on our Sites with a prominent notice and, where appropriate, we will notify you by email.

If, in the future, we wish to use your personal information in a way not set out in this notice we will notify you and seek your permission to do so.

## **CONTACT US**

If you would like to request further information about this notice or the way in which we handle your personal information, please contact us at: [admin@newhavenport.com](mailto:admin@newhavenport.com).

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