

## **Mylor Yacht Harbour - General Data Protection and Privacy Policy**

Mylor Yacht Harbour Ltd. and Mylor Yacht Harbour (Holding Co.) Ltd. are the companies which provide goods and services to customers from the premises at Mylor Yacht Harbour, Falmouth, Cornwall, TR11 5UF. Both companies use the same customer database and data is held and processed in the following ways:

### **1. Newsletter Subscribers**

We hold and process the email addresses of customers or interested individuals who voluntarily subscribe to our Mylor Yacht Harbour and Harbourside Holidays Newsletters through our website. Customers or individuals who subscribe to either of these have requested to receive our newsletters by email and the information is not used for anything other than this purpose. Customers have the option to unsubscribe from this service at any time.

For the sending of newsletters, Mylor Yacht Harbour uses a bona fide third party email delivery service (currently Mail Chimp) and customer's data is held and processed by them solely for email delivery purposes. They have assured us that: 'Mail Chimp never sells subscriber lists, and neither we nor our third parties have a direct relationship with your subscribers or advertise our services to your subscribers'.

Data held for this purpose is processed under the lawful basis of **Consent** as set out in the General Data Protection Regulations.

### **2. Customers who use our Products and Services**

We hold and process customer data in order to supply goods and services, fulfil contracts that customers have requested or because we have been asked to provide information such as a quote or estimate. We will also hold customer data because they have requested their details to be added to a list of customers awaiting the provision of services.

Customer's personal data held and processed includes: names, addresses, emails, phone numbers and bank details (for Direct Debit by Premium Credit). Credit card information given by customers over the phone will be used to take payment as part of a contract but the card information is not held by Mylor Yacht Harbour once the transaction has taken place.

Other details held and processed may include customer's boat name, type, make, LOA, draft, beam, service records and/or other associated equipment details.

This data is used to identify customer property and its location, fulfil contracts, supply services, create job cards, contracts or estimates, monitor & report on work processes, discuss issues and manage accounts. As a result, we are unable to provide any goods or services without holding and processing such relevant customer data.

As part of fulfilling a service or contract, certain customer information (as appropriate) may be passed to:

- Couriers or companies where goods are ordered and sent directly to customers.
- Credit service providers when this is requested as part of a berthing contract.
- Manufacturers where warranties are registered on behalf of a customer or where warranty claims have been made.
- Companies to whom we sub contract specialist work (this is usually boat name only)

Data is also held of contractors, retailers, service providers and manufacturers that supply Mylor Yacht Harbour with goods or services for the purposes of payment of invoices relating to purchases.

Customer Data held for this purpose is processed under the lawful basis of **Contract** as set out in the General Data Protection Regulations.

### **3. When Required by Law**

Data will be processed where we are required to do so by legal obligation under common law or statute. Customer declarations are required by HMRC to be made for the use of marine diesel fuel when purchased and information collected in this way is held for inspection by them as required. Where holding & processing customer data is necessary for other legal requirements, the appropriate source for the obligation in question will be identified.

Data held for this purposes is processed under the lawful basis of **Legal Obligation** as set out in the General Data Protection Regulations.

#### **4. Communication with Customers**

Customer data (as described in section 2) will be held and processed in order to communicate with our customers or to provide information that we that we believe may be of interest or benefit to them. This may include relevant marine or other information, newsletters, promotions and special offers. Please note that such information or offers will directly come from and relate solely to Mylor Yacht Harbour and never from a third party. Where this data is processed for email distribution, customer's email addresses may be uploaded to a bona fide third party email distribution service (currently Mail Chimp) and customer's data is held and processed by them solely for email delivery purposes.

We may also contact customers from time to time to seek information and feedback relating to our performance in order to assist us in improving services.

Customer Data used for this purpose is processed under the lawful basis of **Legitimate Interests** as set out in the General Data Protection Regulations.

Whenever data is processed for Legitimate Interest purposes such as these, we believe that this is reasonable, proportionate, would not be wholly unexpected and would have a minimal privacy impact. However, we will always keep customer's personal data rights in high regard, take account of these rights and offer an opt out at any time.

Data may also be passed to third parties in the event of a legal dispute or for debt recovery purposes where there is a legitimate business reason for us to do so.

CCTV images are taken of the site which may include images of customers, site users and car registration numbers. This data is held in the Legitimate Interests of site security and crime prevention but may be shared with our insurance company in support of a claim or under Legal Obligation with appropriate Law Enforcement Agencies.

#### **5. Further Information**

Based on the nature of our business, and for the purposes of processing data, we define a customer as:

- Someone we would reasonably expect to do business with as a result of an enquiry or request,
- Someone who holds a berthing licence, service agreement, lease or is currently in receipt of services, &
- Someone who we have done business with previously and we realistically expect to do business with them again in the future. This could be annually or longer in the case of visiting boats or services customers.

As a result, data is held for the period that we would expect to do business with a customer or as is statutorily required.

Use of Cookies – Cookies are small files stored on your computer or mobile device by websites that are widely used to make them work more efficiently. These cookies collect **anonymous** information about the number of visitors to our website, where they have come to the site from and the pages they visit which is then compiled through Google Analytics & used internally only to improve the website.

#### **6. Security of Data**

Other than as part of the processing of data as outlined above for consent, contract, legal or legitimate business purposes, we **do not** sell or pass on customer data to any third parties for their use. The companies that we do pass data on to as outlined above do not have our permission to use the data for any other purpose other than that which we have requested.

Electronic Data is held by Mylor Yacht Harbour on secure servers protected by appropriate firewall and anti-virus measures and backed up regularly. Paper data is held & used in premises which are locked when unoccupied, stored in locked filing cabinets/rooms where appropriate & securely destroyed when not required.

#### **7. Your Data Rights**

At Mylor Yacht Harbour we recognise that customers have rights to their personal data and take the protection of these rights seriously. As a result, we only ever use customer data for the purposes outlined in this privacy notice. Should you wish to discuss any aspect of Mylor Yacht Harbour's Privacy Policy, our use of your data or

if you have a question, objection or complaint about anything relating to the use of your data, please contact the Office on 01326 372121 or email [enquiries@mylor.com](mailto:enquiries@mylor.com)

Please note that the information in this notice may be amended from time to time to ensure complete compliance with the relevant regulations or to provide additional information as to how we store and process our customer's personal data.

**Mylor Yacht Harbour**

**15<sup>th</sup> November 2021**