



## **CONSERVATORS OF THE RIVER CAM**

### **Privacy Policy**

#### **The Conservancy**

The Conservancy (formally the Conservators of the River Cam) is a Body Corporate created by Act of Parliament, and is the navigation authority for the river within its jurisdiction, which consists of the River Cam between Bottisham Lock and the Mill Pit. To enable it to carry out its functions, it has various statutory powers, including the power to make byelaws to regulate the river, and to prosecute for breaches of those byelaws. As it is a requirement of the byelaws that all vessels on the river to be registered with the Conservators, a large part of the data processed by the Conservancy relates to the registration of vessels.

The Conservancy consists of 13 Conservators who are appointed and who meet quarterly. There are at present six employed officers, headed by the River Manager, who acts as Clerk and Control Officer.

#### **Policy Principles**

The Conservancy will abide by the core principles of data protection, namely data will be:

1. processed lawfully, fairly and in a transparent manner;
2. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
3. adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed;
4. accurate and, where necessary, kept up to date;
5. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed;
6. processed in a manner that ensures appropriate security of the personal data.

#### **Lawful Basis for Processing**

The basis on which the Conservancy will rely for holding and processing data will, depending on the circumstances, be one of the following:

1. Public Task: This will apply where the Conservancy is acting in the exercise of its official authority under its statutory powers.
2. Legal Obligation: This will apply where the Conservancy needs to process data in order to comply with a legal obligation.
3. Contract: This will apply where the Conservancy needs to process data to fulfil its contractual obligations, for example to employees, and to third parties with which it contracts.

4. **Legitimate Interest:** The Conservancy carries out some functions which are not derived from its statutory powers, but which better enable it to act as a guardian of the river and its environment. On occasion, the Conservancy consults interested parties on matters which affect them. Where it is necessary to process data for these purposes, it will rely on legitimate interest.
5. **Consent:** The Conservancy may offer to provide information about its activities and the river to persons who are interested in receiving it. In this case, the Conservancy will rely on consent for processing the data to enable it to do so.

### **Purposes for which Data will be Held and Processed by the Conservancy**

Generally, the Conservancy will only hold such data as is needed to perform its activities and to comply with its legal obligations, but it will include the following:

1. **Registration of vessels:** Data is collected during the registration process, including information about the vessel itself and its usual location, and the name and contact details of the owner or person applying for registration. Such information is also used to invite renewals of registration, to send out renewal reminders, and to give warning of prosecution in the event of non-registration.
2. **Monitoring of vessels on the river:** Data is collected on unregistered vessels, and vessels which are moored incorrectly or in a prohibited area, or which are abandoned, sunk or derelict, or a danger to navigation.
3. **Data in relation to other licences and consents issued by the Conservators,** such as under Section 15 of the Cam Conservancy Act 1922.
4. **Data relating to the regulation of events held on the river.**
5. **Data relating to the investigation of complaints or incidents which could relate to health and safety on the river, or issues relating to the use of Conservancy property such as the Halingway or the locks.**
6. **Prosecution of offences under the Byelaws.**
7. **Information relating to employees.**
8. **Information relating to Conservators, including conflicts of interest.**
9. **Provision of information relating to the river to interested parties, and the consultation of interested parties.**

### **Enforcement**

Where there has been a breach of the Conservancy's byelaws, in particular a failure to register a vessel, the Conservators may prosecute the person or persons who are in breach. The decision whether or not to prosecute remains at all times within the discretion of the Conservators, and that discretion will be exercised fairly and reasonably.

The Conservancy will obtain, and process data necessary to decide whether to bring a prosecution, to prosecute where a decision has been made to do so, and to enforce any judgements of a court. The Conservancy may also use such data to bring civil proceedings, for example to recover unpaid registration fees.

## **Where the Conservancy obtains Data**

Data held and processed by the Conservators may come from any one of the following sources:

1. Data provided directly by individuals, for example when an application to register a vessel is made.
2. Data which is publicly available.
3. Data obtained by observations made by officers of the Conservators.
4. Data provided by third parties such as the Environment Agency, the Boat Safety Scheme Database, local authorities, law enforcement agencies, legal representatives, the courts or members of the public.

## **When the Conservancy Discloses Data**

The Conservancy will disclose data which it holds to third parties in the following circumstances:

1. Where and to the extent that the Conservancy has a legal obligation to do so.
2. Where the data is publicly available.
3. To the extent that it is necessary to investigate a possible breach of the byelaws, or to bring a prosecution for such a breach.
4. To the extent that it is necessary to recover a debt owing to the Conservancy, either through a debt collection agency or civil proceedings.
5. Where there is a legitimate interest in sharing boat registration information with another navigation authority or with a local authority.
6. Where the individual concerned has consented to the disclosure data.
7. Where it is necessary to obtain legal or other advice and the person giving advice is under a duty of confidentiality.
8. For the preparation of financial and statistical data, such as the income from boat registration, and the numbers and types of vessels on the river.

## **How Long Data is Retained**

The general principle is that personal data will not be retained for longer than is necessary to fulfil the purpose for which it was held. Personal data will normally be retained for not more than seven years to enable the Conservancy to deal with any questions or complaints, and to maintain records where it is required to do so. Data may be kept for a longer period if it cannot be deleted for legal, regulatory or technical reasons. Statistical data may be retained for longer periods.

## **Security of Data**

The Conservancy will respect the privacy of the persons with whom it deals and will keep personal data securely.

Electronic records of the Conservancy are password protected with limited access. Access to employee records is limited to the River Manager and the Business Manager.

Conservancy staff are under a contractual duty of confidentiality. The Code of Conduct to which Conservators subscribe on appointment contains a duty of confidentiality

The person who is responsible for managing compliance with data protection within the Conservancy is the Business Manager. In the event of a breach, or suspected breach of personal data, it should be reported immediately to the Business Manager or the River Manager.

### **Rights of Individuals whose Data is Held by the Conservancy**

The Conservancy will respect the rights of individuals whose personal data it holds to the extent that it has a legal obligation to do so, in particular:

1. The right to request access to an individual's personal data.
2. The right to request correction of personal data where it is incomplete or inaccurate.
3. The right to request erasure of personal data where processing is no longer necessary, or where consent (if required) has been withdrawn, or the processing is unlawful, or where personal data must be erased to comply with the law.