



# **What we do with your information – Privacy Policy**

**(Linked to Other Policy & Standards)**

**Revised for the introduction of GDPR regulations**

**May 2018**

# **D&S IFCA Policy Documentation**

## **Rights for individuals**

The General Data Protection Regulations has introduced the following rights:

- the right to be informed;
- the right of access;
- the right to rectification;
- the right to erasure;
- the right to restrict processing;
- the right to data portability;
- the right to object;
- the right not to be subject to automated decision-making including profiling.

## **How do we request personal data?**

Devon and Severn Inshore Fisheries and Conservation Authority (D&S IFCA) uses Privacy Notices when requesting information. Privacy notices ensure that when consent is gained for the use of information, there is transparency in regard to what will happen with the information and what it is used for.

## **Our Privacy Message**

- **We keep your data safe and secure**
- **We do not sell your data**
- **You can amend your choices at any time by contacting us**
- **Our requests for information will include privacy notices telling you exactly what the information is used for and who it may be shared with**
- **All personal information is anonymised for insertion into authority publications**

**D&S IFCA will publish its Data Protection Policy (and standards) on its website:  
[www.devonandsevernifca.gov.uk](http://www.devonandsevernifca.gov.uk)**

# D&S IFCA Policy Documentation

## How do we use your information?

D&S IFCA collects and processes data to support the effective management of sea fisheries resources within its district and provide an efficient service to the public.

D&S IFCA takes seriously its responsibilities to ensure that any personal data it collects and processes is done so in accordance with all relevant legislation and guidance.

D&S IFCA collects and processes personal data for the following specific purposes:

1. Enforcement and compliance of fisheries regulations
2. Issuing fishing permits
3. Consultation with permit holders
4. Analysing fisheries catch and effort data (including vessel monitoring)
5. Providing up to date information on our activities
6. Development of fisheries and aquaculture
7. Recruitment and selection of staff
8. Managing the finances of the Authority

You have the right to request that D&S IFCA stop processing your personal data. However, if this request is approved this may cause delays or prevent us delivering a service to you, for example, issuing a fishing permit or enabling your permit to remain valid. Where possible we will seek to comply with your request but we may need to hold or process information in connection with D&S IFCA's legal functions.

You are also legally entitled to request access to any records held by D&S IFCA about yourself. The Authority will seek to comply with your request but there may be some situations where it will not be able to do this in full, e.g. where information held was given in confidence.

### Other

- Where the processing is necessary to protect individuals from harm or injury
- Where otherwise permitted under the General Data Protection Regulations 2018 (GDPR), e.g. disclosure to comply with legal obligations

Where possible D&S IFCA will use anonymised or pseudonymised data. This means personal identifiers such as name, address, date of birth, reference number are removed from a data source, the information can then be used for secondary purposes. This type of data can be used in a variety of ways including assessing and mapping trends in fishing activities and stock exploitation, it can also be provided in response to requests made under the Freedom of Information Act 2000. For more information about either requesting access to your personal data or to cease processing personal data please contact D&S IFCA.

# **D&S IFCA Policy Documentation**

## **Our Lawful Basis for holding your information**

D&S IFCA has a lawful basis or a legitimate interest to hold personal data as described below:

### **1. Enforcement and compliance of fisheries regulations**

D&S IFCA is a statutory body and operates under provisions contained within the Marine and Coastal Access Act 2009. It carries a wide range of powers enabling the enforcement of fisheries legislation throughout its district. Personal data is used and stored to conduct investigations related to fisheries offences.

In carrying out such duties D&S IFCA officers must act in accordance with a wide range of other legislation including the Police and Criminal Evidence Act 1984 (PACE) which governs, amongst other things, inspections, searches, seizures and interviewing of suspects. In complying with PACE officers must issue a written record of any formal searches or inspections undertaken. Such records contain personal data which are retained in accordance with D&S IFCA's document retention schedule.

When breaches of legislation are detected D&S IFCA retains supporting personal data relevant to the investigation. This includes:

- including the name, address and data of birth of defendants, witnesses and other evidence gathered during the course of the investigation. Such information is retained in accordance with D&S IFCA's document retention schedule.
- To support the detection and prevention of crime D&S IFCA shares fisheries intelligence with other statutory agencies and bodies including the Marine Management Organisation and the Police in accordance with the principles and protocols of the National Intelligence Model (NIM). Such intelligence gathering and sharing of information is underpinned by formal agreements.

### **2. Issuing fishing permits**

D&S IFCA issues permits for a range of fishing activities under its activity-based Permit Byelaws. Such permits are issued to a named person and cannot be processed without using personal data. Existing permit holders have the opportunity to surrender their permits if they no longer wish for their personal data to be retained. The exception is when they are being investigated in connection with fisheries offences.

## **D&S IFCA Policy Documentation**

### **3. Consultation with permit holders**

Permit conditions are subject to a review procedure at least once every three years. D&S IFCA has a duty to consult with permit holders and other such stakeholders, organisations and persons as appear to the Authority to be representative of the interests likely to be substantially affected by the proposed future management options. Names, addresses and contact details are retained to complete this duty. Personal Information provided in any such consultation is used appropriately and anonymised in resulting publications

### **4. Collecting fisheries catch and effort data**

Personal data such as catch and effort data is collected and used for research and, in regard to electronic vessel monitoring, will be used for investigation work.

Within the D&S IFCA District, the Authority has a legal duty to:

- manage the exploitation of sea fisheries resources
- seek to ensure that the conservation objectives of any MCZ are furthered

In delivering those duties D&S IFCA will seek to manage a sustainable marine environment and inshore fisheries. D&S IFCA gathers a wide range of information on fishing activities across a number of fisheries including the activity of individual vessels. Such information will include the quantity of species caught and the location of the activity. Such information may be held indefinitely to enable the maintenance of long-term historical data sets and the development and implementation of appropriate management measures to meet D&S IFCA's legal obligations.

#### Vessel Monitoring

Permit Byelaws can require a vessel to have a remotely accessed electronic reporting device (VMS) fitted. VMS data will not be routinely stored by D&S IFCA. VMS data will be routinely stored by the manufacturer of the supplied device. Your VMS data will be accessible to D&S IFCA. VMS data requested by D&S IFCA will be securely stored, processed and shared with other regulators.

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### **5. Providing up to date information on our activities**

D&S IFCA holds and uses contact information, particularly email addresses, to:

- consult on the development on fisheries management
- consult about potential changes to permit conditions,
- inform our contacts about developments in fisheries in the D&SIFCA District
- provide information and literature on its services (such as newsletters)

D&S IFCA has the aim to communicate with a wide range of stakeholders. Individuals are given the option of providing consent to continue receiving publications and information in regard to the work conducted by D&S IFCA. Individuals can amend their choices at any time by contacting us.

### **6. Development of fisheries and aquaculture**

D&S IFCA collects personal data that may be used to develop the management of fisheries and specific activities such as aquaculture. D&S IFCA has a legitimate interest to hold personal data (including contact details) to achieve the required work. Individuals that are not permit holders, are given the option of providing consent to for D&S IFCA to retain contact details relating to projects or initiatives to develop fisheries and aquaculture. Individuals can amend their choices at any time by contacting us.

### **7. Recruitment and selection of staff**

D&S IFCA gathers personal information during the recruitment and selection of new staff which includes name, address, date of birth, national insurance number and other information which is retained in accordance with D&S IFCA's document retention schedule. When an appointment is made such information will be retained on the individuals personnel file throughout the duration of their employment with D&S IFCA.

### **8. Managing the finances of the Authority**

Financial records relating to organisational requirements is securely stored. This can include contact details of service providers and bank details for payments. Personal data or contact details that are no longer relevant to the financial affairs of the Authority are not retained. Such information is retained in accordance with D&S IFCA's document retention schedule.

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### **How do we protect your data?**

We maintain physical, electronic and procedural safeguards in connection with the collection, storage and disclosure of personally identifiable customer information. Our security procedures mean that we may occasionally request proof of identity before we disclose personal information to you. To the extent that sensitive personal data is processed about you, we will employ appropriate security measures given the nature of that data. However, you recognise that your use of the Internet and our website is entirely at your own risk. We have tried to create a secure and reliable website for our users. However, we have no responsibility or liability for the security of personal information transmitted via the Internet.

D&S IFCA utilises secure server technology to ensure that all personal and transactional information is protected to the highest standards. We never make your personal details available to companies outside D&S IFCA for marketing purposes. Whilst we make every effort to keep the information that you supply secure, please be aware that the Internet is not a fully secure medium.

### **Where can I find more information?**

If you need to contact D&S IFCA about Data Protection (and standards adopted by D&S IFCA) you can use the contact details below:

#### **Contact Details**

D&S IFCA  
Brixham Laboratory  
Freshwater Quarry  
Brixham  
Devon TQ5 8BA  
Tel: 01803854624  
Email: <mailto:dataprotection@devonandsevernifca.gov.uk>

#### **Information Commissioner's Office (ICO)**

For more information about the Data Protection or if you are unhappy with how the Authority had used your information, you can report a concern on the ICO's Website:

[Information Commissioner's Office \(external website\).](#)

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