

Privacy Notice – Stakeholder Engagement

Introduction

Caledonian Maritime Assets Limited (CMAL) owns the ferries, ports and harbours and infrastructure necessary for vital ferry services serving the West coast of Scotland and the Clyde Estuary.

We are wholly owned by the Scottish Government with Scottish Ministers the sole shareholders.

CMAL has an executive management team and supporting staff at headquarters in Port Glasgow.

We aim to provide efficient, cost-effective and safe ferries, harbours and port infrastructure for operators, communities and users in and around Scotland.

- Maintaining, improving and enhancing assets such as vessels and the land and property around piers and harbours
- Seeking extra investment to invest in ferries and harbour facilities, making a real difference for people and businesses using these life line services
- Working with stakeholders within Scotland and the wider maritime community to be acknowledged as the principal provider of the most cost-effective yet innovative ferries and port infrastructure to the benefit of the communities we serve.

Under the General Data Protection Regulation (GDPR), CMAL is required to provide information about how personal information will be processed. This privacy notice explains how CMAL uses stakeholder contact details to keep you up to date with the projects we are working on.

What Information is Collected?

CMAL collects stakeholder information to keep you up to date with the work we are doing in local communities and the projects we are working on.

If you attend a stakeholder meeting and complete a form, we will collect:

- Name
- Address (if you do not have an e-mail, we will send information to you by post)
- E-mail address
- Whether you represent a group
- What information you would like to receive:
 - About a specific project only
 - About any CMAL projects

We may also add you to our project stakeholder lists if you ask us for project information using another means of communication, for example if you e-mail us, and will usually ask you for the information listed above. In some circumstances, if you hold any kind of public office or exercise functions of a public nature, we may also record and use your role and workplace address if it is relevant.

If you are a representative of a public authority, you may be considered a “corporate subscriber”. CMAL retains information about corporate subscribers on our stakeholder lists,

which will include name, e-mail, organisation, and where relevant, role. If we frequently work with your organisation, we may also keep other contact information such as address and telephone numbers.

How will my information be used?

Your contact details will be used to send information about projects that we think are relevant to you. There are three options:

- i. Information relating to a specific project. Once that project is complete, your contact details will be removed from the stakeholder contacts list;
- ii. Information relating to any CMAL projects which means you will receive information about ongoing projects regardless of their geographic location.

You may change these preferences at any time.

In order to process your information in this way, CMAL requires what is termed a lawful basis to do so. This is explained below.

Corporate Subscribers

Where you are a contact on behalf of an organisation you may fall within the definition of a “corporate subscriber” (see the paragraph below on Privacy and Electronic Communications Regulations (PECR)). This means that your e-mail address relates to your organisation, for example, firstname.surname@cmassets.co.uk. The organisation must also be a legal entity that is entirely separate and distinct from any individuals.

We will send you information that we believe will be of interest to your organisation, which is processed in the legitimate interests of both CMAL and the organisation the information is being sent to. CMAL does not require consent to send information to corporate subscribers although those receiving this marketing communication may still object. Further information can be found in the section on Additional Rights.

Personal E-mail Contact Details

Where you have provided personal contact details, whether it is in a personal capacity or on behalf of a group, for example you are using a personal e-mail address as the contact for a community group, you will **not** be a corporate subscriber. This means that CMAL legally requires consent to send you promotional and marketing e-mails. This is a requirement under PECR which is explained below.

Privacy and Electronic Communications Regulations (PECR)

The PECR are separate to the GDPR and contain additional requirements about what must be in place to ensure electronic marketing activities are lawful.

Where CMAL is promoting the work that they do or projects that they are working on, some of that communication is likely to be covered by the PECR. This means that, where we use an individual’s contact details for promotional and marketing purposes, we must have consent where that communication is electronic.

If you have provided a personal e-mail address, we will therefore ask you for consent to send you information that is considered to be marketing by email, fax, text, or other electronic message.

Please note - if you don't give your consent, we will be unable to send you any promotional information about projects that we are working on.

As explained above, the requirement to obtain consent does not apply to those who are classed as a "corporate subscriber" although you still have the right to object to direct marketing, outlined under Additional Rights.

Where we have obtained your consent to send you electronic marketing materials, you may withdraw your consent at any time. Please note that while you will be removed from marketing lists with immediate effect, you may continue to receive communications from CMAL where it is being used for purposes other than marketing.

Will my information be passed to anyone else?

CMAL uses a data processor to manage the majority of IT services on its behalf and also uses PR and communications companies. Data processing agreements are place with organisations that process personal information on our behalf, which require processing to be carried out within the EEA, or for appropriate safeguards to be in place. As far as we are able to establish, any information you provide is not transferred internationally.

We will never pass personal contact information to any other third party without your explicit consent, unless there is a statutory requirement to do so or the processing is otherwise lawful.

What happens when my information is no longer required?

Our contacts lists are managed in accordance with CMAL's retention schedules. They are regularly reviewed to ensure they remain accurate and up to date, and we will occasionally ask you to verify your details and that you wish to remain on our stakeholder contacts list.

Contact details will be removed from stakeholder lists as soon as they cannot be verified, or by request, with immediate effect. Please note that your details and any related correspondence may continue to be held for other purposes.

Additional Rights

Under the GDPR, you have a number of rights in relation to your personal information. You have the right to:

- i. request access to your personal information;
- ii. request rectification of your personal information which means you are able to have inaccurate personal information corrected without undue delay;
- ii. request erasure of your personal information when certain conditions apply;
- iii. restrict processing under certain circumstances;
- iv. object to processing;
- v. data portability in some circumstances.

Requests that relate to rectification, erasure or restricting processing will be passed to any recipients of your personal information. Details of recipients can be found under the section *Will My Information be Passed to Anyone Else?*

There may be occasions when CMAL is unable to comply with requests to exercise the rights above. Should this apply to a request you make, it will be explained to you why CMAL is unable to comply with the request and any options available to you.

Where your personal information is being processed using consent, one further right is the right to withdraw your consent at any time. You should be aware that, while CMAL will stop using your information for that purpose with immediate effect, it may not always be possible to remove information from the public domain, for example where it has been used in hard copy publications. You should also be aware that the ability to withdraw consent only applies to information considered to be personal. It does not apply to information about groups or organisations. You can find out how your personal information is being lawfully processed under the section *How Will My Information Be Used?*

You may withdraw your consent at any time for allowing your information to be used for marketing purposes.

Complaints

Should you be unhappy with the way in which CMAL have processed your personal data, you have the right to lodge a complaint with the Information Commissioner, who regulates data protection legislation across the UK. Their contact details can be found at <https://ico.org.uk/>.

Contact Details

CMAL is the Data Controller (or Controller) for information collected and processed for the purposes of managing stakeholder lists. Website: <http://www.cmassets.co.uk/>

If you have any queries relating to a CMAL project, please contact the project manager. If you have any queries regarding any of the information in this privacy notice, please contact CMAL's Data Protection Officer Liz Taylor – liz@tkmconsulting.co.uk.