

# Data Protection Policy

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## 1) Policy statement

Everyone has rights with regard to the way in which their **personal data** is handled. During the course of our activities Commercial Marine Insurance Services Limited T/A Morgan Marine Insurance Services are insurance intermediaries and we will collect various types of information relating to the insurance coverage required as the **data controller** in relation to that **personal data**.

We are committed to the protection of all **personal data** and **special category personal data** for which we are the **data controller**.

The law imposes significant fines for failing to lawfully **process** and safeguard **personal data** and failure to comply with this policy may result in those fines being applied.

All members of our **workforce** must comply with this policy when **processing personal data** on our behalf. Any breach of this policy may result in disciplinary or other action.

## 2) About this policy

The types of **personal data** that we may require in order to handle to obtain insurance quotes will include name, address, e-mail address, telephone and details relating specifically to any insurance coverage you have requested and is required. The **personal data** which we hold is subject to certain legal safeguards specified in the General Data Protection Regulation ('GDPR'), the Data Protection Act 2018, and other regulations (together '**Data Protection Legislation**').

This policy and any other documents referred to in it set out the basis on which we will **process** any **personal data** we collect from **data subjects**, or that is provided to us by **data subjects** or other sources.

This policy sets out rules on data protection and the legal conditions that must be satisfied when we process **personal data**.

## 3) Definition of data protection terms

All defined terms in this policy are indicated in **bold text**, and a list of definitions is included in the Annex to this policy.

## 4) Data Protection Officer and Data Protection Leads

As part of compliance we are required to appoint a Data Protection Controller ("Our Data Protection Controller is Lisa Noble, Director of Morgan Marine Insurance Services, who can be contacted at 01277 224440 or info@morganmarineinsurance.co.uk).

The Data Protection Controller is responsible for ensuring compliance with the Data Protection Legislation and with this policy. Any questions about the operation of this policy or any concerns that the policy has not been followed should be referred in the first instance to the Data Protection Controller.

The Data Protection Controller is also the central point of contact for all **data subjects** and others in relation to matters of data protection.

## 5) Data protection principles

Anyone **processing personal data** must comply with the data protection principles. These provide that **personal data** must be:

**Processed** fairly and lawfully and transparently in relation to the **data subject**;

**Processed** for specified, lawful purposes and in a way which is not incompatible with those purposes;

Adequate, relevant and not excessive for the purpose;

Accurate and up to date;

Not kept for any longer than is necessary for the purpose; and

**Processed** securely using appropriate technical and organisational measures.

**Personal Data** must also:

be **processed** in line with **data subjects'** rights;

not be transferred to people or organisations situated in other countries without adequate protection.

We will comply with these principles in relation to any **processing of personal data** by the.

## 6) Fair and lawful processing

Data Protection Legislation is not intended to prevent the **processing of personal data**, but to ensure that it is done fairly and without adversely affecting the rights of the **data subject**.

For **personal data** to be **processed** fairly, **data subjects** must be made aware:

that the **personal data** is being **processed**;

why the **personal data** is being **processed**;

whether the **personal data** will be shared, and if so with whom;

the period for which the **personal data** will be held;

the existence of the **data subject's** rights in relation to the **processing of that personal data**; and

the right of the **data subject** to raise a complaint with the Information Commissioner's Office (ICO) in relation to any **processing**.

We will only obtain such **personal data** as is necessary and relevant to the purpose for which it was gathered, and will ensure that we have a lawful basis for any **processing**.

For **personal data** to be **processed** lawfully, it must be **processed** on the basis of one of the legal grounds set out in the Data Protection Legislation. We will normally **process personal data** under the following legal grounds:

where the **processing** is necessary for the performance of a obtaining insurance terms from various insurance companies for the **data subject**.

where the **processing** is necessary and required by Insurers to assess the risk and offer terms accordingly and appropriate for the data subject.

where the law otherwise allows us to **process** the **personal data** or we are carrying out a request for the data subject to obtain insurance terms or an insurance contract as they have requested.

where none of the above apply then we will seek the consent of the **data subject** to the **processing** of their **personal data**.

where the **processing** following your consent and as you have requested, your data details have been passed to a Finance company (for example Premium Credit Finance Limited) to arrange a contract between the **data subject** and the **Finance Company direct**. If you agree and continue to enter in to a contract with the Finance Company you would be responsible to carefully read their Privacy Policy and agree to their Terms and Conditions.

If any **data user** is in doubt as to whether they can use any **personal data** for any purpose then they must contact the Data Protection Controller before doing so.

## 7) Processing for limited purposes

We will only **process personal data** for the specific purposes set out in our Schedule of Processing Activities or for any other purposes specifically permitted by Data Protection Legislation or for which specific consent has been provided by the data subject.

## 8) Notifying data subjects

If we collect **personal data** directly from **data subjects**, we will inform them about:

our identity and contact details as **Data Controller**;

the purpose or purposes and legal basis for which we intend to **process** that **personal data**;

the types of insurance companies, with which we will share or to which we will disclose that **personal data**;

individuals' rights - to erasure. Individuals can request the deletion or removal of Personal Data where there is not a good reason for processing to continue or it is no longer necessary in relation to the purpose for which it was originally collected or processed.

whether the **personal data** will be transferred outside the European Economic Area ('EEA') and if so the safeguards in place;

the rights of the **data subject** to object to or limit processing, request information, request deletion of information.

Unless we have already informed **data subjects** that we will be obtaining information about them from third parties (for example in our privacy notices), then if we receive **personal data** about a **data subject** from other sources, we will provide the **data subject** with the above information as soon as possible thereafter, informing them of where the **personal data** was obtained from.

#### 9) Adequate, relevant and non-excessive processing

We will only collect **personal data** to the extent that it is required for the specific purpose notified to the **data subject**, unless otherwise permitted by Data Protection Legislation.

#### 10) Accurate data

We will ensure that **personal data** we hold is accurate and kept up to date.

We will take reasonable steps to destroy or amend inaccurate or out-of-date data.

**Data subjects** have a right to have any inaccurate **personal data** rectified. See further below in relation to the exercise of this right.

#### 11) Timely processing

We will not keep **personal data** longer than is necessary for the purpose or purposes for which they were collected. We will take all reasonable steps to destroy, or erase from our systems, all **personal data** which is no longer required.

#### 12) Processing in line with data subject's rights

We will **process** all **personal data** in line with **data subjects'** rights, in particular their right to:

request access to any **personal data** we hold about them;

have inaccurate or incomplete **personal data** about them rectified;

restrict **processing** of their **personal data**;

have **personal data** we hold about them erased

have their **personal data** transferred; and

object to the making of decisions about them by automated means.

## **The Right of Access to Personal Data**

**Data subjects** may request access to all **personal data** we hold about them. Such requests are provided free of charge and without delay - at the latest within one month of receiving the request.

## **The Right to Object**

In certain circumstances **data subjects** may object to us **processing** their **personal data**. This right may be exercised in relation to **processing** that we are undertaking on the basis of a legitimate interest or in pursuit of a statutory function or task carried out by insurers.

Morgan Marine Insurance Services is not however obliged to comply with a request where the **personal data** is required in relation to any ongoing claim or legal proceedings.

## **The Right to Rectification**

If a **data subject** informs Morgan Marine Insurance Services that **personal data** held about them is inaccurate or incomplete then we will consider that request and provide a response within one month.

## **The Right to Restrict Processing**

**Data subjects** have a right to “block” or suppress the **processing of personal data**. This means that Morgan Marine Insurance Services can continue to hold the **personal data** but not do anything else with it.

Morgan Marine Insurance Services must restrict the **processing of personal data**:

Where Third Parties who received the data that is now subject to a restriction and they are informed about the restriction, unless it is impossible or involves a disproportionate effort.

If a restriction on processing is lifted, the individual concerned must be informed beforehand.

Where Morgan Marine Insurance Services no longer needs the personal data, but individual requires the data to establish, exercise or defend a legal claim.

When Data Subject has an ongoing claim and the personal data is required.

Where the **processing** is unlawful but the **data subject** has asked Morgan Marine Insurance Services not to delete the **personal data**;

## **The Right to Be Forgotten**

**Data subjects** have a right to have **personal data** about them held by Morgan Marine Insurance Services erased only in the following circumstances:

Where the **personal data** is no longer necessary for the purpose for which it was originally collected;

When a **data subject** withdraws consent - which will apply only where Morgan Marine Insurance is relying on the individuals consent to the **processing** in the first place;

When a **data subject** objects to the **processing** and there is no overriding legitimate interest to continue that **processing** - see above in relation to the right to object;

Where the **processing** of the **personal data** is otherwise unlawful;

When it is necessary to erase the **personal data** to comply with a legal obligation; and

In relation to a legal claim.

If Morgan Marine Insurance Services has shared the relevant personal data with any other organisation then we will contact those organisations to inform them of any erasure, unless this proves impossible or involves a disproportionate effort.

### 13) Right to Data Portability

In limited circumstances a **data subject** has a right to receive their **personal data** in a machine readable format, and to have this transferred to other organisation. The right only applies where all of the following conditions are met:

The individual provided the personal data to the controller themselves.

The processing is carried out by automated means.

The processing is carried out on the basis of the individuals consent or for the performance of a contract.

If such a request is made then the Data Controller must be consulted.

#### **Data security**

We will take appropriate security measures against unlawful or unauthorised processing of **personal data**, and against the accidental loss of, or damage to, **personal data**.

We will put in place procedures and technologies to maintain the security of all **personal data** from the point of collection to the point of destruction.

Security procedures include:

**Secure lockable desks and cupboards.** Desks and cupboards should be kept locked if they hold confidential information of any kind. (Personal information is always considered confidential.)

**Methods of disposal.** Paper documents should be shredded. Digital storage devices should be physically destroyed when they are no longer required.

**Document printing.** Documents containing **personal data** must be collected immediately from printers and not left on photocopiers.]

Any member of staff found to be in breach of the above security measures may be subject to disciplinary action.

#### **14) Data Protection Impact Assessments**

Morgan Marine Insurance Services takes data protection very seriously, and will consider and comply with the requirements of Data Protection Legislation in relation to all of its activities whenever these involve the use of personal data, in accordance with the principles of data protection by design and default.

The Data Protection Controller should always be consulted as to whether a data protection impact assessment is required, and if so how to undertake that assessment.

#### **15) Disclosure and sharing of personal information**

Morgan Marine Insurance Services will inform **data subjects** of any sharing of their **personal data** unless we are not legally required to do so, for example where **personal data** is shared with the police in the investigation of a criminal offence.

#### **16) Changes to this policy**

We may change this policy at any time. Please check our website for updates.



