

Data Protection Policy

1. Introduction

Milton Creek Country Park Trust (the “Trust”) is committed to respecting and protecting privacy of Trustees, Friends, Visitors and Customers. This policy applies where we are acting as a data controller with respect to your personal data, in other words, where we determine the purposes and means of the processing of such personal data. It captures personal data entered across all channels: through our website, app, or via our bookings/service team for Milton Creek Country Park (the “Park”).

2. Your personal data – what is it?

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller’s possession or likely to come into such possession. The processing of personal data is governed by [the General Data Protection Regulation 2016/679 (the “GDPR”)]

3. How do we process your personal data?

The Trust complies with its obligations under the “GDPR” by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

Please read this policy carefully to understand our views and practices regarding your personal data and how we will treat it. All personal data we process falls into one or more of the following categories:

- Booking data
- Transaction data
- Financial data
- Usage data
- Communication data
- Enquiry data
- Digital marketing data
- CCTV

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We may process your booking data to maintain our own accounts and records. The booking data may include your name, billing address, delivery address, phone number and email address. The booking data will be processed for the purposes of booking for an event or use of space within the “Park”. The legal basis for this processing is the performance of a contract between you and us.

We may process your transaction data. The transaction data may include information relating to your previous transactions, including bookings and purchases. The transaction data may include your name, billing address, delivery address, telephone number, email address, booking and purchase history. It may be processed for the purposes of booking for an event or for space within the “Park” or purchases and keeping proper records of those transactions. The legal basis for this processing is the performance of a contract between you and us.

We may process financial information you share with us. The financial data may include your encrypted card details, name, and billing address. This data may be processed solely for the purposes of processing your booking payments, purchase of items, refunds, and to prevent fraud. All processing of financial data is necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement. The legal basis for this processing is the performance of a contract between you and us.

We may process data about your use of our website or app, and reaction to our emails and services. The usage data may include your geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your service use. The sources of the usage data are analytics packages (including, but not limited to Google Analytics) and email service providers. This usage data may be processed for the purposes of analysing the use of the website, emails and services. The legal basis for this processing is our legitimate interests, namely monitoring and improving our website and services.

We may process information that you provide to us for the purpose of subscribing to our direct marketing communications. The communication data may include your name, email address, postal address, phone number or marketing preferences. You can ask us or third parties to stop sending you marketing messages at any time by contacting us. This communication data may be processed for the purposes of contacting you with service notifications, such as that your booking has been processed, or contacting you with relevant offers and event updates. The legal basis for this processing is performance of a contract for service notifications and legitimate interests for direct marketing communications.

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We may process information contained in any enquiry you submit to us regarding bookings or purchases. This enquiry data may be processed for the purposes of providing clarification, resolving issues or marketing relevant goods and/or services to you. The legal basis for this processing is the performance of a contract between you and us and to ensure we are responding to your enquiry.

We may process information that you provide to us for the purpose of improving our digital marketing. We may use digital marketing data in a number of different ways: either to advertise our products and services to you on third party websites such as Facebook, or to advertise our products and services to similar customers (lookalikes) on third party websites such as Facebook. We may also use digital marketing data to exclude you from seeing advertisements from third party websites such as Facebook. The digital marketing data may include your name, email address, and the user ID of any social platforms you have connected with us on. The legal basis for this processing is our legitimate interests, namely providing better services and enhancing our customer base.

Please be aware that CCTV is in operation in the “Park” connected to Swale Borough Council CCTV monitoring centre and managed by them, so data protection of CCTV images is their responsibility. Their CCTV policy can be read on their website using the following link:

<https://swale.gov.uk/news-and-your-council/strategies-and-policies/cctv-policy>

We may process any of your personal data identified in this policy where necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights, your legal rights and the legal rights of others.

We may process any of your personal data identified in this policy where necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, or obtaining professional advice. The legal basis for this processing is our legitimate interests, namely the proper protection of our business against risks.

Please do not supply any other person’s personal data to us, unless we prompt you to do so. If you do share your friends’ details with us, please ensure you have their authorisation.

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OPTING OUT

You can ask us or third parties to stop sending you marketing messages at any time by contacting us.

4. Providing your personal data to others

We do not, and will not, sell any of your personal data to any third party – including your name, address, email address or credit card information. We want to earn and maintain your trust, and we believe this is absolutely essential in order to do that.

However, we may disclose your personal data with the following categories of organisations as an essential part of being able to provide our services to you, as set out in this policy:

- To Swale Borough Council (“SBC”) insofar that “SBC” is the owner and manager of the “Park”
- To our insurers and professional advisers insofar as reasonably necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, or obtaining professional advice
- To deliver news and offers to you we may use postal printing and mailing, as well as email service providers

Financial transactions relating to our website, app and stores are handled by our card payment service providers. We will share transaction data with our payment service providers only to the extent necessary for the purposes of processing your payments, refunding such payments and dealing with complaints and queries relating to such payments and refunds.

In addition to the specific disclosures of personal data set out in this Section 3, we may disclose your personal data with law enforcement and fraud prevention agencies, so we can help tackle fraud or where such disclosure is necessary for compliance with a legal obligation to which we are subject, in order to protect your vital interests or the vital interests of another natural person, or in connection with the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative out-of-court procedure.

5. How long we retain your data

Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

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If you have registered on our website but not booked or purchased from us, the length of time we will retain your data is dependent upon whether you have opted into our marketing communications. If you have opted in, we will retain your data for 2 years since your last interaction; if you have not opted in, we will not retain your data.

We will anonymise your personal data 7 years after your last transaction (sale, refund) provided you have not interacted with us for 2 years. For the purposes of this policy, an interaction is defined as contacting us. We will inform you before we anonymise your data and give you the option for us to retain your details so we can continue to communicate with you.

In all instances outlined above, the process of anonymising your data may take up to one calendar month. You can ask us about the retention periods for different aspects of your personal data by contacting us.

In certain circumstances we may retain your personal data where such retention is necessary for compliance with a legal obligation to which we are subject, to resolve disputes and enforce our agreements.

6. Your rights

You have a number of rights in respect to your personal data. We have below summarised the rights that you have under data protection law. Some of the rights are complex, and not all of the details have been included in our summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights. You may exercise any of your rights in relation to your personal data by contacting us through the website.

1. Right of access

You have the right to confirmation as to whether or not we process your personal data and, where we do, access to the personal data, together with certain additional information. That additional information includes details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights and freedoms of others are not affected, we will supply to you a copy of your personal data. The first copy will be provided free of charge. In order to fulfil this right, we will ask for government registered ID to confirm your identity and, once this is received, will respond with the relevant information one calendar month from the date of your request.

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2. Right to rectification

You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed.

3. Right to erasure

In certain circumstances you have the right to the erasure of your personal data without undue delay. However, there are exclusions of the right to erasure, such as where processing is necessary for exercising the right of freedom of expression and information, for compliance with a legal obligation, or for the establishment, exercise or defence of legal claims. If you have entered into a transaction with us, we will keep a record of your personal data for 7 years following the date of your last transaction with us. We will endeavour to respond to your request within one month, but if your request is complex or we receive a number of similar requests at the same time, it might take us longer, in which case we will inform you within one month of the receipt of the request and explain why we think an extension is necessary.

4. Right to restriction on processing

In some circumstances you have the right to restrict the processing of your personal data. Those circumstances are: (a) you contest the accuracy of the personal data, (b) processing is unlawful but you oppose erasure, (c) we no longer need the personal data for the purposes of our processing, but you require personal data for the establishment, exercise or defence of legal claims, and (d) you have objected to processing, pending the verification of that objection. Where processing has been restricted on this basis, we may continue to store your personal data. However, we will only otherwise process it: (a) with your consent, (b) for the establishment, exercise or defence of legal claims, (c) for the protection of the rights of another natural or legal person, or (d) for reasons of important public interest.

5. Right to objection to processing

You have the right to object to our processing of your personal data on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for: (a) the performance of a task carried out in the public interest or in the exercise of any official authority vested in us; or (b) the purposes of the legitimate interests pursued by us or by a third party. If you make such an objection, we will cease to process the personal information unless (a) we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or (b) the processing is for the establishment, exercise or defence of legal claims.

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You also have the right to object to our processing of your personal data for scientific or historical research purposes or statistical purposes on grounds relating to your particular situation, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

6. Right to data portability

In certain circumstances, you have the right to receive your personal information in a structured, commonly used and machine-readable format and to transmit that information to another controller to enable it to use the data. The right to data portability applies (a) to personal data you have provided to us as data controller, (b) where the processing is based on your consent or for the performance of a contract and (c) when processing is carried out by automated means. If you request this information, we will transmit the data directly to another controller, if this is technically feasible. We are, however, not required to adopt or maintain processing systems that are technically compatible with other controllers. Also, if the personal data concerns more than one individual, we must consider whether providing the information would prejudice the rights of other individuals.

If you exercise your right to data portability, we will endeavour to respond to your request within one month, but if your request is complex or we receive a number of similar requests at the same time, it might take us longer, in which case we will inform you within one month of the receipt of the request and explain why we think an extension is necessary.

7. Right to stop marketing messages

At any time you can amend your marketing preferences to reduce, remove or increase the amount we contact you with direct marketing communications.

8. Right to withdraw consent

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

We do not knowingly collect data relating to children.

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9. Right to complain

In the event that you wish to make a complaint about how we process your personal data, please contact us in the first instance through our website <https://miltoncreek.co.uk> We will deal with your request as soon as possible. If you consider that our processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. Our supervisory authority is the Information Commissioner's Office. You can contact them here: <https://ico.org.uk>

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

7. Review/Amendments

We will review this policy annually and will update this policy if any changes to relevant legislation/guidelines. You should check our website <https://miltoncreek.co.uk> occasionally to ensure you are happy with any changes to this policy.

8. Data Protection Officer

As a Trust we do not have a specific data protection officer, but we do have access to expertise to help with any data protection query. If you have any concerns or questions about how we protect your privacy, please contact us through the website <https://miltoncreek.co.uk>