

Data Protection Impact Assessment

Data controller (organisation) means “the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data”.

Data subject (individual) means an identifiable natural person “who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, or an online identifier”.

Personal data means “any information relating to an identified or identifiable natural person (‘data subject’)”. The Regulation states this also includes online identifiers such as IP addresses and cookies.

Data processor (service providers) means “a person, public authority, agency or other body which processes personal data on behalf of the controller”. An example is a Cloud provider that offers data storage.

Data must be:

- Processed lawfully, fairly and transparently
- Collected only for specific legitimate purposes
- Adequate, relevant and limited to what is necessary
- Must be accurate and kept up to date
- Stored only as long as is necessary
- Ensure appropriate security, integrity and confidentiality

There are six lawful bases - which basis is most appropriate will depend on the purpose and relationship with the individual. They are:

(a) Consent: the individual has given clear consent to the processing of their personal data for a specific purpose.

(b) Contract: the processing is necessary to enter into a contract with an individual.

(c) Legal obligation: the processing is necessary to comply with the law.

(d) Vital interests: the processing is necessary to protect someone’s life.

(e) Public task: the processing is necessary to perform a task in the public interest.

(f) Legitimate interests: the processing is necessary for your legitimate interests providing it doesn’t override the interests of the individual.



Consent

The Regulation imposes stricter requirements on obtaining valid consent from individuals to justify the processing of their personal data. Consent must be “freely given, specific, informed and unambiguous indication of the individual’s wishes”. Silence, pre-ticked boxes or inactivity do not count as consent. The organisation must also keep records so it can demonstrate that consent has been given by the relevant individual. Finally, consent must be explicit when processing sensitive personal data, or transferring personal data outside the EU.

Additional protection for children

Consent from a child in relation to online services is only valid if authorised by a parent. A child is someone below the age of 16, though member states can reduce this age to 13. Within the Data Protection Bill the UK Government are reducing the age to 13.

Manx Whale and Dolphin Watch

Objectives – as a research organisation and charity

To collect data about the cetacean species (whales, dolphins, and porpoises) present in Manx waters through means of:

- Land based surveys
- Boat based surveys
- Photo-identification surveys
- Visual line-transect surveys
- Hydrophone line-transect surveys

To raise awareness and educate the public about the cetacean species present in Manx waters through:

- Public outreach and education
- School visits
- Public lectures, seminars, or training workshops
- Invited talks to private groups
- Public watch events
- Information stall at public events
- Maintenance of a public website and Facebook page

Cetacean Data Collection

MWDW land and boat based surveys

- Observers are recorded by means of a code of initials in place of their name
- Observers are MWDW staff member, charity members, volunteers, or summer interns
- A database of coded initials are kept to identify the individual observers
- Names are needed to keep records of number of different observers involved in a survey and for analysis purposes
- Paper records are entered into a secure database which is held on an external hard drive, and backed up on a second external hard drive
- Paper records are then filed and kept to act as a back-up to the electronic data
- Original records of scientific data collected should always be kept to refer back to in case of transcription errors to the database or to confirm ambiguous details

Public land based surveys

- Trained surveyors submit sightings forms from surveys without MWDW present
- Email addresses of all land-based surveyors are kept on gmail, allowing MWDW to contact them regarding the data they have collected
- Forms contain the person's name which is necessary to know who has collected the data and therefore ensure the credibility of the sightings
- Paper records are entered into a secure database which is held on an external hard drive, and backed up on a second external hard drive
- If submitted on paper records are then filed and kept to act as a back-up to the electronic data. If submitted by means of scan/photograph of forms via email, a copy of these images is saved to a folder on the hard drives to act as a back-up to the database
- Original records of scientific data collected should always be kept to refer back to in case of transcription errors to the database or to confirm ambiguous details

Publicly reported sightings

- Sightings are reported by members of the public through the sightings form on the website
- Email – required, used only to contact an observer regarding details of a sighting
- Observer name – optional, displayed on the public facing side of the website to credit their sighting
- Phone number – optional, NOT displayed publicly, used only to contact an observer regarding details of a sighting
- Sightings are also reported through the Facebook page, in which case we would use the details of the sighting to complete the web form ourselves and would not ask for an email or phone number.



If necessary to contact the person regarding details of the sighting this would be done as a reply to their initial Facebook message

- The public sightings database is held as part of the website and can be downloaded as a csv file at any time by MWDW team members for analysis. It cannot be downloaded by members of the public. Once downloaded the database is stored securely on the external hard drives
- If data is shared with permission to other research groups, observer names and contact details are removed before sharing

Sea Users record books

- Boat users record sightings then submit the record book
- Name, email, phone number, vessel name and location are collected on a paper form when the record book is handed out so we know who currently holds record books and where data collected has come from. This information is entered into a secure database and the paper collection forms are securely destroyed
- Data from the sea users record books is added to a database stored on the external hard drives, and the completed record books are stored as a back up to the electronic data
- Original records of scientific data collected should always be kept to refer back to in case of transcription errors to the database or to confirm ambiguous details

Public Education and Outreach

MWDW Website

- Publically accessible website hosted on WordPress which has its own privacy policy and security
- Access to the back-end of the website is by secure log in by individual password held by MWDW team members and our IT support person

Membership to the charity

Members can sign up on the website or on a paper form at different levels (Corporate, Adult, Joint, or Junior) and includes four membership newsletters per year

Required data:

- Name – for membership card or junior certificate
- Parent/Guardian name – for junior members we also take the name of a parent or guardian and ask for permission to contact the junior member (for sending newsletters). Junior certificate can be left blank for name to be filled in by parent if they do not wish to provide junior name



- Address – to send membership pack to and membership renewal reminder at the end of the year
- Email address – to send membership newsletters or membership renewal reminder. We prefer email to save on printing and postage but members can opt for paper newsletter if preferred and not give an email address. Junior member newsletters are sent in paper form
- Phone number – optional and provided if permission is given to contact by phone for membership renewal reminders
- Payment – if applying online this is done through PayPal, in person through cash, cheque or BACS. MWDW does not hold or have access to any personal banking details. PayPal has its own security and data protection procedures in place

Data is held securely on a membership database for the duration that the membership is active. If membership is not renewed at the end of a year the data is held for an additional year in case of later renewal and then deleted

If paper application form is used the data is entered into the database and the paper form is securely destroyed

Online purchases or donations

- Name and email are collected for payment processing for purchases or donations
- For purchases phone number and postal address are collected to send out purchases in the post and for contact if there are any problems
- All online donations and payments are made through PayPal or BACS and no personal banking details are held or accessible by MWDW. PayPal has its own security and data protection procedures in place
- Donation and payment amounts and donor details are held as part of our website and can be downloaded as a csv file at any time by MWDW team members
- Downloads would be used for summary of financial activity for the year, and for inclusion in the accounts and would be deleted after this is completed to be held securely on the website

Signed

Position in organisation.....

Signature.....

Position in organisation.....

Signature.....

Position in organisation.....

Signature.....

Date.....



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