

ACTIVITY CAMPS



Data Protection and Privacy Policy

Company Name	Le Mourier Swim/Sea/Save
Company Address	Inverness Lodge, Le Mont au Meunier, St Lawrence, Jersey, JE3 1FQ
Author Name	Stuart Diack
Contact Telephone	01534 869050
Contact Email	stuart@lemourier.co.uk

Monitoring and Review

This policy will be reviewed annually to ensure they remain correct and are fit for purpose. However, the policy may be reviewed and updated at any time to reflect any changes made by Le Mourier or the regulatory authorities or government legislation

Version:	1/10.23
Policy Launch date	November 2022
Next review date	October 2024

ACTIVITY CAMPS

Policy

This policy sets out the obligations and expectations of all employees of Le Mourier, including contractors and temporary staff across all aspects of the company, who use the Company's IT facilities for any purposes. IT facilities are provided to assist with day-to-day running's of the company, and it is important that they are used responsibly, are not abused, and that individuals understand the legal professional and ethical obligations that apply to them when using these facilities.

It is important to note that all staff members of Le Mourier play a vital part in keeping customer, employee, and company information safe from cyber-attacks or breaches. It is also each staff member's responsibility to report such attacks or breaches as soon as possible to prevent the severity of impacts to any staff member of customer within Le Mourier.

Within Le Mourier several IT Systems are in use throughout the company, these are, but not limited to:

- Microsoft Office 365
- Bookeyo
- Mailchimp
- Go Cardless
- Xero

Legislation

All users must comply with the relevant legislation. This includes the following:

Data Protection (Jersey) Law 2018

The Data Protection (Jersey) Law 2018 sets out the rights of individuals in respect of their personal data as well as the obligations and conditions organisations must follow to process it.

GDPR - General Data Protection Regulation 2018

This is the legislation covering data privacy in Europe. It protects personal data which can be described as:

“Any Information from which a person can be identified or potentially identified from.”

Le Mourier has an obligation to ensure we are compliant with this regulation which follows 7 steps:

- Lawfulness, Fairness and Transparency - Only processing data as required by Law.
- Purpose Limitation - Only collecting data for legitimate means.
- Data Minimisation - Collecting no more data than is necessary.
- Accuracy - Making sure personal data is kept up to date.
- Storage Limitation - Only keeping personal data for as long as necessary.

ACTIVITY CAMPS

- Integrity and Confidentiality - Protecting against data corruption, loss, and unauthorised access with use of appropriate preventative measures.
- Accountability - Following process and procedures to demonstrate compliance.

Data Protection Act 1998/Freedom of Information Act 2000

Any information which Le Mourier holds is potentially disclosable to a requester under one of these pieces of legislation. This includes emails.

Users need to be sure that they are not breaching any data protection when they write and send emails. This could include but is not limited to:

- Passing on personal information about an individual or third party without their consent.
- Keeping personal information longer than necessary.
- Sending personal information to a country outside the EEA.

Email should, where possible, be avoided when transmitting personal data about a third party. Any email containing personal information about an individual may be liable to be disclosed to that individual under the Data Protection Act 1998. This includes comments and opinions, as well as information. Therefore, this should be borne in mind when writing emails, and when keeping them.

Computer Misuse Act 1990

This Act makes it an offence to try and access any computer system for which authorisation has not been given.

Defamation Act 1996

Under this Act it is an offence to publish untrue statements which adversely affect the reputation of a person or group of people.

Terrorism Act 2006

This Act has makes it a criminal offence to encourage terrorism and/or disseminate terrorist publications.

Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000

This allows for any organisation to monitor or record communications (telephone, internet, email, and fax) for defined business-related purposes.

Voluntary Legislation

Le Mourier is not required to, but voluntarily complies with POPIA. The Protection of Personal Information Act (POPIA) came into effect in 2020 in South Africa and provides a safeguard for all personal information processed by an Organisation. As an organisation which is involved in the handling of quantities of personal information as well as “special Information” as detailed below, Le Mourier has a moral obligation to ensure these steps are followed to maximise customer trust in the

ACTIVITY CAMPS

company. While not legally required to do so, all users of Le Mourier's IT system, including email, are expected to uphold these requirements. Information in this legislation can be categorised as follows:

Personal Information

- Contact Details (Email, Phone Number, Address etc.)
- Demographic (Age, Sex, Race, Date of Birth, Ethnicity etc.)
- History
- Opinions
- Correspondence

Biometric Data

Special Information

- Information concerning a child.
- Religious or Philosophical Beliefs
- Race or Ethnic Origin
- Trade Union Membership
- Political Opinions
- Health
- DNA
- Sexual Life
- Criminal Behavior

Le Mourier is registered with the Jersey Office of the Information Commissioner (JOIC)

CCTV (Closed-Circuit Television)

Le Mourier has CCTV (Closed-Circuit Television) - supplied by Talis Solutions Ltd. - across four areas to promote safety to customers and staff members against crime and misjudgment. Venues include:

- Inverness Lodge Pool
- Inverness Lodge Grounds - Including Carpark / Garden and Chalet areas
- Les Roche Pool
- Les Roche Grounds - Including Car Park

Under the Data Protection (Jersey) Law 2018, Le Mourier is required to make all persons entering the site aware of the presence of CCTV cameras and does so in the following methods:

ACTIVITY CAMPS

Staff Members

All staff members are made aware of the presence of CCTV and its purposes through Policies such as this one, visible signage on site as well as training sessions / internal meetings. While they are there to ensure transparency in criminal proceedings where a crime has been committed it also plays a vital part in keeping all staff members safe from misjudgment and accusations of malpractice from customers and/or colleagues. Whether to prove innocence or prove malpractice has taken place, the CCTV allows Le Mourier's management the ability to get a 'birds eye' view of all potential risk areas.

Customers

All customers entering Le Mourier's CCTV sites are notified of the presence of CCTV using adequate signage. As pictured below:



Access

Access is strictly restricted to the Managing Director of Le Mourier (Malcolm Parris) and no other staff member. If deemed necessary, the Managing Director can log into the CCTV system and locate the time / day and venue in question for the purpose of resolving an issue or providing evidence in criminal or internal disciplinary proceedings. To access the CCTV provisions the Managing Director must interpret a request or reason as deeming necessary to access this facility. No unauthorised or unrequested access to the CCTV is permitted.

Requests to access CCTV can be made to the Managing Director from either a staff member concerned about themselves or a colleague as well as from a customer. Requests must be submitted to the Managing Director in writing stating the nature of the request as well as the specific details of the incident location as well as time and day. Should the Managing Director deem it necessary then he will access the CCTV portal and conduct internal investigations. To comply with Data Protection (Jersey) Law 2018, all members involved in that investigation will be informed of this being the case by the Managing Director.

ACTIVITY CAMPS

Exporting CCTV Footage

It may be deemed necessary or suitable for incidents in the pool environment to be exported for the sole use of internal development of procedures for prevention of further incident.

In these cases, the Managing Director will put in place processes to gain written permission from all customers (Swimmers) in question for the exportation of this footage for the purposes required.

Once all customers have expressed permission, the footage can then be exported and used only within the purpose specified when gaining permission.

In cases where an external government organisation has requested the footage, for example but not limited to: States of Jersey Police, CEYS (Children and Early Year's Service) or C&FH (Children and Families Hub) Le Mourier is legally obliged to provide these services with the requested footage for their investigations. Wherever permitted, Le Mourier will inform those contained in the footage of the events taking place.

Online Photography

The policy applies to all photographs taken on film or digital camera (including mobile phones) and all sorts of moving pictures including video recordings (and video streaming).

Le Mourier has developed this policy in relation to the use of images of all children who participate in our activities on our website, social media outlet and in other publications (images released to the press). Le Mourier will make decisions about the type of images we consider suitable and appropriately represent the swimming school or activity, without putting children at increased risk. We want to ensure that parents, young people, and others understand and support this policy. When assessing the potential risks in the use of images of children, the most important factor is the potential for inappropriate use of these photographic images.

The use of today's new generation of mobile phones presents an opportunity for misuse. The magnification and manipulation that is possible with today's digital pictures and the fact there is no need for a third party to develop and print images is causing concern. Images taken with a mobile phone can, in seconds, be transmitted onto the World Wide Web.

If staff are in a position that images/videos are likely to be required for Le Mourier's use in advertising /promoting / media use, then their personal mobile phone must be registered with Le Mourier as a company registered photographic device. On registering a device to Le Mourier, the staff members must abide by the rules and regulations set down in the policy. This will include the ability of Le Mourier management to request at any time to view the content of 'Gallery' images stored on the phone at any time. This will also allow Le Mourier management to request immediate deletion of images on the phone that we feel breach our 'Guidance on suitability of photographs' that are set down in this policy. Failure to abide by this may lead to the action of Le Mourier's Disciplinary Policy and or reporting of the staff member to the appropriate authorities.

