

# **Water Services Corporation (Discharge Permit Unit) – Privacy Notice**

## **1. Introduction**

At Water Services Corporation (hereinafter referred to as ‘WSC’) we are committed to protecting and respecting your privacy.

This Policy sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

Any changes we may make to our privacy notice in the future will be posted on this page (in case of online). We continually review and update this Privacy Policy to reflect changes in our services as well as to comply with changes in Data Protection and Privacy Laws. We would, therefore, encourage you to review this Policy on a regular basis.

This Policy is dated 15 November 2019

## **2. Who are we?**

For legal purposes, the Data Controller is Water Services Corporation. The Corporation was established under Chapter 355 of the Laws of Malta to exercise functions related to the acquisition, transformation, manufacture, distribution and sale of potable and non-potable water, and, as appropriate, to the treatment and disposal or re-use of sewage and waste water, and re-use of stormwater run-off, to provide for the transfer to the Corporation of certain installations, equipment or other property, and to make provision in respect of matters ancillary thereto or connected therewith.

## **3. Who does this Privacy Policy apply to?**

This Policy relates to the collection and use of the personal data of individuals, sole traders and individuals who are in business partnerships. It does not apply to information we collect or use in relation to companies or other organisations.

It is intended that this privacy notice applies to the following data subjects:

- visitors to, or users of, the website;
- existing, potential and previous customers and those acting on their behalf; and
- service providers and business partners.

## **4. How do we collect personal data?**

As utility service provider, we regularly collect personal data as part of our services and legal obligations. We typically collect personal data:

- Through application forms;
- Through the website of the entity;
- Through calls/emails/visits received at our Customer Care Department.

We may collect your personal data from anything you have provided to us on our website [www.wsc.com.mt](http://www.wsc.com.mt) such as reporting an issue/customer report and subscribing to the SMS alert system to receive notifications about any water service interruption; over the telephone; in a letter; via e-mail; on our LiveChat service; or via social media like Twitter and Facebook. We may also access information about you that is already publicly available.

**Furthermore, please note Customer Care inbound calls are recorded. Call recordings will normally be retained for a specific period and then automatically deleted.**

Some call recordings may be retained for longer for the following reasons:

- If required for a complaint by a data subject. In this case the recording will be retained until the completion of the complaint procedure including to the IDPC and the expiry of any appeals period were required. If necessary the recording will be retained until the end of any court proceedings;
- If such recordings have been identified by WSC's management team as valuable for staff training. In this case any recording identifying the data subject shall be removed (or beeped) and retained until it is no longer useful for this purpose; and
- If WSC decides to exercise and defend legal claims such recordings may be required as evidence.

We also use CCTV cameras on our sites that may capture images of people and vehicle identification information such as number plates, and this for security and safety reasons.

We also collect personal data given to us if we meet you in person for example whilst visiting your home, worksite or business premises or if you come to one of our sites.

In addition, we may collect your personal data from third parties including:

- Individuals that have permission to contact us on your behalf;
- New residents of a former supply address, estate/letting agents or solicitors acting on your behalf or a new resident of a former supply address, for example, where you are moving home and the third party is providing a forwarding address (with or without your consent);
- Landlord of your supply address;
- Our regulators;
- Public authorities and agencies with whom we work in connection with the provision of water and sewerage services, such as local councils;

## **5. What personal data do we process?**

We may collect and process the following data about you:

- Identification and contact data: this would include your title, name and contact details such as your email address and mobile telephone number.
- Information about your customer account: this would include your supply address, correspondence address, billing address, water meter serial number and water usage, and information required to estimate water usage.
- Payment information: this would include transaction records of payments made in connection with your customer account and details of your bank account or credit or debit card in order to process payments or set up direct debits.
- Supply network information: this means information relating to the supply address that is necessary for the supply of water and sewerage services such as location of network infrastructure present on or near to the supply address and the maintenance and repair history.
- Data received from and provided to law enforcement agencies or authorities: this means information to assist in the prevention, detection, apprehension and prosecution of criminal activity.
- Website tracking information: this means details of transactions you carry out through our website and details of your visits to our website. Further details are in the section entitled "Website and Cookies Privacy Policy".
- Survey information: this means information you provide as part of customer or stakeholder surveys.

- Preference information: this means any opt in or opt out preferences that you have provided us with confirming whether you wish to receive information about offers and information that may be of interest to you.
- Notarial declaration, contract/deed of sale or similar document indicating possession or title to the property to which the water service refers to.

## **6. How do we use your personal data?**

Irrespective of the manner that we have collected your personal data, we will only process such data for the purposes of the provision of water services to you and purposes which are inherently related thereto, including the fulfilment of any legal obligation imposed on us.

Typically, in providing you with the service, your personal data will be processed for:

- Fault investigation and repairs;
- Managing enquiries, requests and complaints;
- Routine inspections;
- Managing and administering customer accounts;
- Processing payments;
- Audit purposes;
- Receiving payment and debt recovery;
- Dealing with new connections to our network;
- Public education on matters affecting our regulated services (such as water efficiency and leakage);
- Internal training;
- Research and statistical analysis for matters affecting our regulated services;
- Managing legal claims;
- Responding to requests for information;
- Listening to and addressing concerns;
- Upgrades/updates to the service being provided;
- Metering and Billing;
- Temporary service requests;
- Interruption notifications;
- Claims investigation;
- Theft and fraud investigation.

## **7. Legal Basis**

We process your personal data on the basis of the following legal basis:

- Entering into and performing a contract – in particular to provide you with the services you have requested from us. The consequence for not doing such processing would be that we would be unable to perform our contract;
- Our legitimate interests – in particular legitimate interests which may arise directly or indirectly in relation to the services provided. When we process your personal data on the basis of our or

a third party's legitimate interests, we ensure that the legitimate interests pursued are not overridden by your interests, rights and freedoms;

- Compliance with legal obligations imposed on us – in particular obligations imposed on us as a result of the provision of water services to you;
- Consent when you have provided your explicit consent to specific processing of your personal data; and
- The performance of a task carried out in the public interest, given that we process your personal data for the purposes of providing national water in Malta.

On the basis of our legitimate interests or compliance with legal obligations, as applicable, we may also process your personal data for the purposes of establishing, exercising or defending legal proceedings.

We will ensure that we have additional grounds for processing your personal data if processing of special categories becomes envisaged. Note that special categories of personal data include data revealing your racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic, biometric or health data, sexual orientation and data related to your conviction and offences. Processing special categories of your personal data is not envisaged unless we have reason to institute proceedings or investigations with respect to theft of our services.

## **8. Who will see your data?**

The recipients of your personal data are:

- our employees or selected individuals within WSC, on a need to know basis or as a result of their duties within WSC or any associated or related entities;
- any service providers that may have access to your personal data in rendering us with their support services, including IT service providers;
- third parties to whom disclosure may be required as a result of our relationship with you as our client;
- third parties to whom disclosure may be required as a result of legal obligations imposed on us; and
- authorised processors and any authorised sub-processors who process your data on our behalf and for the same purposes as indicated above.

We are a member ('Member') of the Malta Association of Credit Management ('MACM'). If you as our client is in default of our agreement, the Member has the right to pass on any of your personal information to MACM as well as to any legally entitled third party.

Where such a disclosure is carried out, MACM, as a Credit Referencing Agency, shall be deemed to be a Data Controller of the personal data it processes within its systems, in pursuance of its legitimate interests, such as promoting responsible lending, amongst others. For more information please visit <https://www.macm.org.mt/dataprotection>. Data Protection queries concerning MACM may be referred to its Data Protection Officer at [dataprotectionofficer@macm.org.mt](mailto:dataprotectionofficer@macm.org.mt).

We do not share your personal data with any entity located outside of the EU or EEA unless required to do so at law.

## **9. Automated Decision-Making and Profiling**

Your personal data will not be used for any decision solely taken on the basis of automated decision making processes, including profiling.

In the interest of transparency, note that We use systems which could profile you as deemed necessary for the performance of or entering into a contract with you and to comply with our legal obligations. Such systems are used by us to monitor your water and electricity consumption and ensure that you

receive a quality service. These systems could also be used to identify abnormal water or electricity consumption and irregular activities. No automated-decision will result from our use of such systems.

## **10. Data Retention**

We shall retain your personal data exclusively for the period in which we may lawfully retain your personal data. Thereafter, your personal data shall be immediately and irrevocably destroyed. As a result of legal obligations imposed on us, we typically retain your personal data for up to ten (10) years from the closure of your file and you cease to be our client.

We may have a legitimate interest to hold your data for longer periods such as when your data is required for exercising or defending legal claims.

## **11. Your Rights**

For as long as We retain your personal data, you have certain rights in relation to your personal data including:

- Right of access – you have the right to ascertain the personal data We hold about you and to receive a copy of such personal data;
- Right to Erasure – in certain circumstances you may request that We delete the personal data that we hold on you;
- Right to Object – you have a right to object and request that we cease the processing of your personal data where we rely on our, or a third party's, legitimate interests for processing your personal data or a task carried out in the public interest;
- Right to Portability – you may request that We provide you with certain personal data which you have provided to Us in a structured, commonly used and machine-readable format. Where technically feasible, you may also request that we transmit such personal data to a third party controller indicated by you;
- Right to Rectification – you have the right to update or correct any inaccurate personal data which we hold about you;
- Right to Restriction – you have the right to request that we stop using your personal data in certain circumstances including if you believe that we are unlawfully processing your personal data or the personal data that We hold about you is inaccurate;
- Right to withdraw your consent – where Our processing is based on your consent, you have the right to withdraw your consent. Withdrawal of your consent shall not affect the lawfulness of the processing based on your consent prior to the withdrawal of your consent;
- Right to be informed of the source – where the personal data we hold about you was not provided to us directly by you, you may also have the right to be informed of the source from which your personal data originates; and
- Without prejudice to any available administrative or non-judicial remedy, including the right to lodge a complaint with a supervisory authority, you shall also have the right to an effective judicial remedy where you consider that your rights under the Regulation have been violated as a result of the processing of your personal data in contravention of the Regulation.

Your rights in relation to your personal data are not absolute. If you intend to exercise one or more of your rights, you should approach Water Services Corporation..

You may exercise your rights in respect of and against Water Services Corporation. You will not have to pay a fee to access your personal data (or to exercise any of the other rights specified above). 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.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

## **12. Subject Access Requests**

Individuals can make a formal request for information we hold about them.

When receiving telephone enquiries, we will only disclose personal data we hold on our systems if the following conditions are met:

We will check the caller's identity to make sure that information is only given to a person who is entitled to it. We will suggest that the caller put their request in writing if we are not sure about the caller's identity and where their identity cannot be checked.

Where a request is made electronically, data will be provided electronically where possible.

If you would like to submit a Subject Access Request, please contact the Data Protection Officer using the contact details below.

## **13. Keeping your data secure**

We take pride in keeping your data secure and will take appropriate technical and organisational measures to protect your data against unauthorised or unlawful processing, including against accidental loss, destruction, storage or access. Your personal data will be stored in paper files or electronically on our technology systems or on technology systems of our IT providers.

If We learn of a personal data breach, We will inform affected data subjects of the occurrence of the breach in accordance with applicable law.

## **14. Who can I contact about my personal data?**

Should you need to contact us to discuss the handling of your personal data or to submit a request to exercise one of your Data Subject Rights, please contact our Data Protection Officer:

Data Protection Officer at Water Services Corporation

Qormi Road, Luqa, LQA 9043

Malta, Europe.

+356 22443240

[dpo@wsc.com.mt](mailto:dpo@wsc.com.mt)

## **15. Complaints**

If you have any complaints regarding our processing of your personal data, please note that you may contact us or our Data Protection Officer at the details indicated above. You also have a right to lodge a complaint with the Office of the Information and Data Protection Commissioner in Malta ([www.idpc.gov.mt](http://www.idpc.gov.mt)).

Office of the Information and Data Protection Commissioner, Airways House, Second Floor, High Street, Sliema SLM 1549

Tel: (+356) 2328 7100

Fax: (+356) 2328 7198

Email: [idpc.info@gov.mt](mailto:idpc.info@gov.mt)

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