

Airspace Change Programme Privacy Notice

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1 Introduction

- 1.1 Because we at Edinburgh Airport take data privacy seriously, we have provided this privacy notice specifically for our Airspace Change Programme commencing in 2019 ('ACP' or 'Airspace Change Programme'). This Airspace Change Programme Privacy Notice details how Edinburgh Airport will process your personal information in relation to the Airspace Change Programme and details your data privacy rights.
- 1.2 The Edinburgh Airport Data Protection Officer ('DPO') provides direct oversight of our data privacy standards ensuring that personal information is processed in a transparent, fair and legal manner in compliance with current data privacy legislation. The DPO can be reached by email at dpo@edinburghairport.com if you have any questions about how we use your personal information.
- 1.3 We may make updates to our Privacy Notice from time to time, and we recommend that you review the current version of this Airspace Change Programme Privacy Notice whenever possible. If we make any material changes to the manner in which we process and use your personal information, we may contact you to let you know about the change.
- 1.4 This Airspace Change Programme Privacy Notice was last updated on 4 October 2019 and is available on Edinburgh Airport's Airspace Change Programme website (the 'Website') at www.edinburghairport.com/airspacechange.

2 About Us

- 2.1 We are what is known as the 'controller' of the personal information which we gather and use. When we say 'we' or 'us' in this Privacy Notice, we mean Edinburgh Airport Limited. We are registered with the Information Commissioner's Office, or ICO, under registration number Z206328X.

3 Your Privacy Rights

- 3.1 You are entitled to exercise any of the following privacy rights:
 - (a) **Right to object:** You can object to our processing of your personal information. Please contact us as noted below, providing details of your objection.
 - (b) **Access to your personal information:** You can request access to a copy of your personal information that we hold, along with information on what personal information we use, why we use it, who we share it with, how long we keep it for and whether it has been used for any automated decision making. You can make a request for access free of charge by contacting us as noted below.
 - (c) **Right to withdraw consent:** You can withdraw your consent in respect of any processing of personal data which is based upon a consent which you have previously provided, which for the ACP means

withdrawing your consent to receive updates from us by email or by post. You can withdraw your consent by contacting us using the details provided at the end of this Privacy Notice or using the unsubscribe links in the emails.

- (d) **Rectification:** You can ask us to change or complete any inaccurate or incomplete personal information held about you.
- (e) **Erasure:** You can ask us to delete your personal information where it is no longer necessary for us to use it, you have withdrawn consent, or where we have no lawful basis for keeping it.
- (f) **Portability:** You can ask us to provide you or a third party with some of the personal information that we hold about you in a structured, commonly used, electronic form, so it can be easily transferred.
- (g) **Restriction:** You can ask us to restrict the personal information we use about you where you have asked for it to be erased or where you have objected to our use of it.

3.2 The easiest method of exercising your rights as set out above is to:

- (a) Email our data protection officer on dpo@edinburghairport.com.
- (b) Write to us at Edinburgh Airport Limited, Capital House, Edinburgh, EH12 9DN, United Kingdom, marked for the attention of the data protection officer.
- (c) Or contact us using the details in Section 14 below.

3.3 Please note that in order to protect your privacy, we may ask you to prove your identity before we take any steps in response to a request you have made.

3.4 Whilst we would always ask that you contact us first, you also have the right to lodge a complaint about our handling of your personal data with the Information Commissioner's Office.

- (a) You can contact them on 0303 123 1115.
- (b) Email them at: Scotland@ico.org.uk.
- (c) Or write to them at: The Information Commissioner's Office – Scotland, 45 Melville Street, Edinburgh, EH3 7HL.

4 Personal Information that we collect

4.1 **Using our Website.** When you use our Website, as is the case with most websites, certain information will be collected directly by us automatically. This information may include:

- (a) Your browser type.
- (b) Cookies.
- (c) Web browsing preferences.
- (d) IP address.

4.2 **Participation in the ACP:** As part of the ACP we run various engagement activities. These may include discussion groups, focus groups, community meetings and events, consultations, and social media engagement activities such as Facebook Live events. We collect feedback during participation in these activities, including where participants complete an ACP Response Form. During the formal consultation phase of the ACP you are encouraged to submit responses via the Civil Aviation Authority (CAA) Citizen Space portal. A link to this can be found on the Website or you can contact us for this. We will also upload any consultation phase responses we receive in ACP Response Forms to the Citizen Space portal so that all such responses are held there, as required by CAA rules and requirements.

The Citizen Space portal is owned and managed by the CAA and operated by their supplier, Delib. Further information about how your personal information submitted via the portal is used is available on the Citizen Space website.

We will have access to all responses submitted via the Citizen Space portal, as these are made available to us by the CAA.

Where an ACP engagement activity is run by one of our ACP advisers (see Section 7 for more information) they will share your response with us.

The information collected during your participation in our ACP engagement activities described above will include all or some of the following, depending on how you participate:

- (a) Your name.
- (b) Your postcode.
- (c) Your postal or email address (if you choose to be kept up to date).
- (d) Your social media name or other identifier.
- (e) Details if you are responding as an elected official or a representative.
- (f) Diversity information (such as your race, ethnicity, religious beliefs, sexual orientation and any disabilities) – but only if you have chosen to provide this to help us with our equal opportunities monitoring.

(g) Your views in relation to the Airspace Change Programme.

Open Responses

Your views on the ACP (such as those provided at a discussion group, community meeting, or submitted in a consultation response) may include “open responses”, where you are free to provide us with information as you see fit. **You are not required to provide us with any personal data as part of an open response**, however where you choose to do so, such personal information will be used in accordance with this Privacy Notice.

In an “open response” you are also free to provide us with personal data that is treated as special category data under data protection legislation. This includes information about your health, your political opinions or your religious or philosophical beliefs. As above, **you are not required to provide us with any "special category" data when giving an open response**, however where you choose to do so, we will treat this as your consent to us to use such information in accordance with this Privacy Notice. You can withdraw this consent at any time by contacting us at the details below. Where you provided the special category data to us, we will remove it from your response. If it was provided to one of our ACP advisers (see Section 7 below for more information) we will contact them and ask them to remove it from your response. Where the special category data has been provided to the CAA, we will contact the CAA and ask them to remove it from your response. As standard, the CAA moderates all responses on the Citizen Space portal to consultations and removes any personal data (including special category personal data) before these are published.

It is also possible for you to provide us with personal data about other individuals in an "open response". We acknowledge that this may be necessary in certain circumstances – for example, if you are a local representative of the local council or other group and you are required to submit views on behalf of others. Where you are providing us with the personal information of other individuals, it is your responsibility to ensure that you have their permission to do this and that you have made them aware of how we will use their information.

4.3 **‘Opting-In’ to be kept up to date.** If you opt-in to be kept up to date on our Airspace Change Programme by email, we will also collect and process your email address or if you opt-in to be kept up to date by post we will collect and process your postal address. Please notify us of any changes to your personal data which you have provided to us if you wish to continue to receive updates. If you opt-in to receive updates, you can withdraw your consent and unsubscribe from receiving updates by contacting us using the details provided at the end of this Privacy Notice or using the unsubscribe links in the emails. However, you should be aware that if you choose to withdraw your consent, we will be unable to keep you personally informed about the Airspace Change Programme.

5 How We Use Personal Information

- 5.1 We use the personal data collected from ACP engagement participants for a number of purposes, including to:
- (a) Ensure that the responses we receive are from individuals and to identify repeat responses.
 - (b) Map and analyse for the purposes of the Airspace Change Programme the areas from which responses have been received (using postcodes).
 - (c) conduct statistical analysis on any diversity information provided in the responses to help us better understand and report on the diversity of responses.
 - (d) Analyse all responses and use the information for the purposes of the Airspace Change Programme including to submit our Airspace Change applications to the CAA.
 - (e) Provide you with updates on the Airspace Change Programme if you opt-in to receive updates.
 - (f) Process and respond to an ACP Response Form including, where necessary, to input any hard copy ACP Response Forms into the Citizen Space portal.

6 Why We Collect and Use Your Personal Information – Our Legal Basis

- 6.1 We generally process your personal data under one of the following legal bases:
- (a) the processing for purposes detailed at 5.1 (a) and 5.1 (b) above is necessary for the legitimate interests pursued by us (in understanding the appropriateness and type of responses and the geographic spread of local views on ACP), except where such interests are overridden by your interests or fundamental rights and freedoms which require protection of personal data.
 - (b) The processing for the purposes detailed at 5.1 (c), and 5.1 (d) above is necessary for compliance with the Civil Aviation Authority's (CAA) guidance for airspace change (issued in accordance with the CAA's statutory duties under Section 70 of the Transport Act 2000) to which we are subject. We are also required by the CAA to use their Citizen Space portal for collecting responses to ACP consultations for their review, by either directing individuals to submit their responses directly into the portal or submitting hard copy responses that we have received (as referred to at 5.1(f) above).
 - (c) Based on your consent, where you elect to receive updates from us (purpose 5.1 (e) above).
 - (d) Processing is necessary for reasons of substantial public interest, on the basis of our legal obligations including under European Parliament and Council Directive for Assessment and Management of Environmental Noise 2002/49/EC, more commonly referred to as the

Environmental Noise Directive (END) and Environmental Noise (Scotland) Regulations 2006 which shall be proportionate to the aim pursued.

6.2 We will not typically collect any Special Category personal data about you in connection with the ACP, unless you provide this to us as part of an ACP response. Where you voluntarily provide us with Special Category personal data as part of your response, we will treat this as consent from you to process this data as part of your response (see Section 4.2 above).

7 Providing Information to Others

7.1 For the purpose of the ACP, we will be working closely with and may be sharing personal information with:

Our air traffic control service provider and other professional consultants assisting us with carrying out the ACP, including equality, environment and health, data analysis, quality assurance, route design and event management advisers. Our appointed professional consultants include the following organisations:

Organisation	Role
Progressive Partnership https://www.progressivepartnership.co.uk/	Running ACP engagement events, gathering ACP response information, analysing and reporting to us.
WSP https://www.wsp.com/en-GB/who-we-are	Environment and health impact assessments.
Diversity Dynamics http://diversity-dynamics.co.uk/	Equality monitoring and reporting.
The Consultation Institute https://www.consultationinstitute.org/	Advice and information on consultation activities.

7.2 The other third parties with whom we may need to share personal data to help us run the ACP include:

- (a) Our owner, (see Working with other service providers and group companies below).
- (b) Third party service providers who process information on our behalf to help run some of our internal business operations, IT services and customer services (see Working with other service providers and group companies).

- (c) Law enforcement bodies in order to comply with any legal obligation or court order and, where we are otherwise requested to provide information, we may provide it but only in accordance with applicable privacy and data protection laws.
- (d) The CAA, who operate the Citizen Space portal used to collate responses to the ACP, and who are the statutory body that will evaluate our Airspace Change application to which the ACP relates, and Delib, who own and operate the Citizen Space portal on behalf of the CAA.

7.3 We may disclose or share your personal data with such partners in order that we may operate the Website and organise and run the ACP. We will only share information with such organisations in accordance with this Policy.

7.4 The CAA is subject to [Freedom of Information requests \(FOI\)](#), and the information we supply – or that you may supply directly via the Citizen Space portal - to the CAA as a result of the ACP may also be disclosed by them in response to FOI requests. However, the CAA must also comply with data protection legislation and should not provide your personal data in response to FOI requests.

8 Working with Other Service Providers and Our Group Companies

8.1 For operational reasons, we may transfer personal data to service providers and our owner who help us manage our systems and processes. These parties may be located in the UK, other countries in the European Economic Area or elsewhere in the world. Different privacy laws may apply in these countries. We only make these arrangements or transfers where we are satisfied that adequate levels of protection are in place to protect any information held in that country or that the service provider acts at all times in compliance with applicable privacy laws. Where required under applicable laws we will take measures to ensure that personal data handled in other countries will receive at least the same level of protection as it is given in your home country. In particular, where required by applicable data protection laws, we have ensured that such third parties sign standard contractual clauses as approved by the European Commission or other supervisory authority. You can obtain a copy of such safeguards by contacting us at the details below. We may redact data transfer agreements or related documents (i.e. obscure certain information contained within these documents) for reasons of commercial sensitivity. In the event your personal data is transferred to a foreign jurisdiction, it may be subject to the laws of that jurisdiction and we may be required to disclose it to the courts, law enforcement or governmental authorities in those jurisdictions but we will only do so where required by applicable laws.

9 Keeping Your Personal Information Secure

9.1 We invest appropriate resources to protect your personal information against loss, misuse, unauthorised access, modification or disclosure. However, no internet-based site can be 100% secure and we cannot be held responsible for unauthorised or unintended access that is beyond our control – in particular with respect to the Citizen Space portal which is operated and controlled by the CAA and Delib. Information held on our computer systems and in our paper filing systems is secure to guard against unauthorised or

unlawful processing or accidental loss, destruction of, or damage to personal data. We only authorise access to employees who need it to carry out their job responsibilities.

10 How Long We Will Keep Your Personal Information

- 10.1 We will never retain your personal information for any longer than is necessary for the purposes we need to use it for. For the purposes of the ACP, your personal information will be retained for a period of ten (10) years after the ACP has completed. When your information is no longer required, we will ensure it is disposed of in a secure manner so that it cannot be physically or technically recovered.

11 Use of Cookies & Analytics

- 11.1 Our Website uses one essential cookie. If you allow it, our Website will also use third party cookies to support analytics functionality. When you first visit our Website a 'cookies banner' will appear explaining this.
- 11.2 Cookies are small computer files which are downloaded onto your device and collect information about the way in which you navigate and use our Website. The information provided by cookies helps us to provide you with a more personal experience and allows us to make improvements to our Website over time.
- 11.3 If you would prefer to restrict, block or delete cookies from us or any other website, you can use your browser to do this. Each browser is different, so check the "Help" menu of your particular browser to learn how to change your cookie preferences. If you choose to disable all cookies, we cannot guarantee the performance of the Website and some features may not work as expected.
- 11.4 To find out more about cookies you can visit www.aboutcookies.org.

12 Third Party Sites

- 12.1 This Privacy Notice only applies to the Website and the ACP. If you land on our Website from other websites (including <http://www.edinburghairport.com/>) or use other websites you should read the separate privacy policies.
- 12.2 In particular, where you are uploading a response to the ACP via the CAA's Citizen Space portal, you should review the CAA's privacy notice and Delib's privacy notice which will provide you with more information about how the CAA and Delib uses your personal data.

13 Contact Us

- 13.1 If you wish to leave feedback, have questions related to this Policy and the ACP or wish to notify us to withdraw your consent then we can be contacted as follows:
- (a) By email: airspace_change@edinburghairport.com

(b) By post: Freepost - Edinburgh Airport, Communications Team