

Policy 05 - Records, Data Protection & Retention

1. PURPOSE

This policy sets out how Surge Crew creates, maintains, protects, and retains records relating to recruitment and placement activities, in line with the principles of the Maritime Labour Convention, 2006 (MLC), the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018, as amended, including the relevant changes made by the Data (Use and Access) Act 2025.

The purpose of this policy is to ensure accurate and transparent record keeping, protection of personal data and appropriate retention and secure disposal of records.

2. SCOPE

This policy applies to:

- All personal data and records held by Surge Crew
- All seafarers registered with Surge Crew
- All clients, yachts, and recruitment partners
- All recruitment, sourcing, and placement activities

3. TYPES OF RECORDS MAINTAINED

Surge Crew may maintain records including, but not limited to:

- a) Seafarer records
 - i. CVs and professional profiles
 - ii. Contact details
 - iii. Certification and qualification information
 - iv. Reference check notes
 - v. Availability and role preferences
- b) Recruitment and placement records
 - i. Vacancies handled
 - ii. Seafarers introduced
 - iii. Comparison tables
 - iv. Placement outcomes
- c) Compliance records
 - i. MLC policies and procedures
 - ii. Complaints log and related correspondence
 - iii. Consent records
 - iv. ICO registration details
 - v. Signed SEAs or applicable SEA templates, and associated SEA review records

4. DATA PROTECTION & SECURITY

Surge Crew takes appropriate technical and organisational measures to protect personal data, including:

- Secure, password-protected systems
- Controlled access to records
- Use of reputable third-party platforms (e.g. CRM, recruitment platforms)
- Regular review of data access and storage practices

Personal data is processed only for specified, explicit and legitimate purposes, including recruitment and placement, regulatory compliance, complaint handling, financial administration, the establishment or defence of legal claims, security and other purposes described in Surge Crew's Privacy Notice.

5. LAWFUL BASIS FOR PROCESSING

Surge Crew determines and records the lawful basis that applies to each processing purpose. Depending on the purpose, that basis may be:

- Consent, where consent is the basis relied on for that purpose
- Legitimate interests relating to recruitment and placement activities
- Compliance with a legal or regulatory obligation

Where processing relies on consent, a seafarer may withdraw that consent at any time. Withdrawal of consent does not affect processing already carried out, and does not require deletion where another lawful basis or a statutory retention obligation applies.

Where Surge Crew processes medical information or other health data, it identifies and records an Article 6 lawful basis, a separate Article 9 special-category condition, and any applicable condition under Schedule 1 of the Data Protection Act 2018.

6. SEAFARER REGISTER

Surge Crew maintains an up-to-date register of seafarers who have been actively engaged in the recruitment process.

A record is created where direct contact or engagement has taken place with a seafarer in relation to a specific role or employment opportunity. Applications where no contact or further engagement occurs are not retained within this register.

The register includes relevant details of recruitment activity, including where applicable:

- Seafarer details
- Roles discussed or applied for
- Dates of engagement
- Outcomes of the recruitment process



Required recruitment and placement records are retained for at least one year from their creation and, for relevant seafarer and hirer applications, for at least one year after Surge Crew last provided services to the person concerned. Longer retention applies where necessary for legal claims, safeguarding, regulatory obligations or another documented purpose.

Surge Crew maintains a retention schedule which sets a retention period separately for:

- Unsuccessful or inactive applications
- Active candidate records
- Successful placements
- Identity and certificate evidence
- Client records
- Signed SEAs or applicable SEA templates, and associated SEA review records
- Financial-protection confirmations
- Complaints
- Data breaches
- Accounting and contractual records

This register is maintained in a format that can be made available for inspection by the competent authority where required.

7. REVIEW & DELETION OF RECORDS

Surge Crew periodically reviews records to ensure they remain relevant.

Personal data is securely deleted or anonymised when it is no longer required, subject to statutory retention requirements, legal claims and other applicable exemptions.

Deletion requests from seafarers are handled promptly and in line with the UK GDPR. Where a request cannot be met in full, Surge Crew explains which data is retained and why.

8. DATA SUBJECT RIGHTS

Individuals have the following rights. These rights apply in the circumstances set out in data protection law and may be qualified or subject to exemptions:

- Access their personal data
- Request correction of inaccurate data
- Request deletion of data, where applicable
- Object to or restrict processing, where applicable
- Data portability, where applicable
- Withdraw consent, where processing relies on consent
- Complain to the Information Commissioner's Office

Requests should be submitted to: crew@surgeyachting.com

Surge Crew verifies the identity of the person making a request before responding, and responds without undue delay and normally within one month of receipt of a valid request. That



period may be extended by up to two further months where a request is complex or where several requests have been made, in which case the individual is told within one month. Where a lawful exemption prevents Surge Crew from meeting a request in full, the reason is explained.

An individual who is dissatisfied with how Surge Crew has handled their personal data may complain to the Information Commissioner's Office at ico.org.uk.

9. DATA BREACHES

Any suspected data breach is assessed promptly.

Where required:

- Affected individuals will be notified
- The Information Commissioner's Office (ICO) will be informed in line with statutory requirements

All personal data breaches are documented. Where a breach is likely to result in a risk to individuals' rights and freedoms, it is reported to the Information Commissioner's Office without undue delay and, where feasible, within 72 hours of Surge Crew becoming aware of it. Where a breach is likely to result in a high risk to individuals, the affected individuals are informed without undue delay.

10. THIRD-PARTY PROCESSORS

Surge Crew may use third-party platforms to support recruitment activities.

Where third parties process personal data:

- Due diligence is carried out on the processor before it is engaged
- A written contract compliant with Article 28 of the UK GDPR is put in place
- Processing is restricted to Surge Crew's documented instructions
- Sub-processors may be appointed only with Surge Crew's authorisation
- Appropriate security measures and breach notification are required
- Safeguards for any international transfer of personal data are documented
- Personal data is returned or securely deleted when the service ends
- Data is shared only where necessary
- Responsibility for data protection remains with Surge Crew

11. REVIEW OF THIS POLICY

This policy is reviewed periodically and updated as required to reflect changes in legislation, business operations, or industry standards.