

fflecsi

Privacy Statement for services provided by TfW in the delivery of fflecsi Demand Responsive Transport (DRT) services

About fflecsi DRT Services

Demand Responsive Transport is a community or public transport service where vehicles travel routes based on demand rather than using fixed routes and timetables. DRT has been around for some time: many dial-a-ride and other community services provide essential transport to people without access to other transport who live in isolated areas. Vehicles include minibuses, taxis (Private Hire Vehicles or PHVs), buses or cars.

TfW has introduced a number of pilots to use DRT services to replace some scheduled core bus services, providing better value and better service for essential travel. Services will be targeted at care/support workers and those that rely on public transport for shopping/care.

Services will use repurposed, existing fleet operated by established bus operators, managed by rapidly configured “out of the box” software from ViaVan. A contact centre will provide phone bookings for those without access to IT. Larger vehicles will be required to maintain social distancing.

Transport for Wales have developed national standards and tools to support DRT services, including:

- A national bi-lingual contact centre
- Booking and scheduling service and capability supplied by ViaVan including a user app and a driver app
- Fflecsi website and booking systems

It is with respect to these tools and services that this Privacy Notice applies, Transport for Wales will manage and operate systems on behalf of the bus operators who provide the services. These support services will not only enable a uniform approach to be adopted across Wales, it will also lead to consistent standards of delivery.

Transport for Wales will also make ViaVan systems and software available to the bus operators operating the pilot schemes in order to allow them to effectively manage and deliver DRT services.

Members of the public will be able to book these services for travel which can be accessed by either telephone into a contact centre or self-served online using an app. Transport for Wales will manage all of the activities associated with booking these services, managing online accounts and providing updates about the services you have booked.

Transport for Wales has responsibilities to ensure that your information is used appropriately and kept secure. This privacy notice sets out how we will collect

information about you when you register to use and book fflecsi DRT services and each time you use the service.

Introduction

Transport for Wales respects your privacy and is committed to protecting information about you (we call this your **personal information** or your **personal data**). This privacy policy informs you how we look after your personal data when you register for and/or book fflecsi DRT services and tells you about your privacy rights and how the law protects you.

We've provided detailed information on:

- When and why we collect your personal information;
- How we use it;
- The limited conditions under which we may disclose it to others; and
- How we keep it secure.

Transport for Wales may update this policy from time to time. We will let you know if there are any significant changes which affect you. This policy is effective from 1st May 2020.

Transport for Wales and Welsh Government are each responsible for the personal data they collect from or about you. In this notice, the terms "TfW", "we", "us" or "our" refer to Transport for Wales.

Transport for Wales and Welsh Government have appointed a data protection officer (DPO) who is the individual responsible for overseeing questions in relation to this privacy policy in each organisation. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact the TfW DPO in the first instance using the details set out below.

Postal address: Data Protection Officer, Transport for Wales, South Gate House, Wood Street, Cardiff, CF10 1EW

E-mail: contact@tfw.wales

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

The data we collect about you:

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

If you register for and/or book fflecsi DRT services, the following different kinds of personal data about you may be collected, used and stored:

- **Identity Data** includes first name, last name and title.
- **Contact Data** includes email address and telephone numbers.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose, including planning transport and budgeting. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

How is your personal data collected?

Different methods are used to collect data from and about you including through:

- Direct interactions. You may give your Identity and Contact Data by filling in online forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - register for and/or book fflecsi DRT services or amend your registration online or through the mobile application;
 - request marketing to be sent to you;
 - call to ask queries; or
 - give us some feedback.

How is your personal data used

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to comply with a legal or regulatory obligation;
- Where we need to use your information to carry out our public functions; or
- Where it is otherwise necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

Generally, we do not rely on consent as a legal basis for processing your personal data, other than in relation to sending direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

The following terms are used in the table below:

- **Comply with a legal or regulatory obligation:** means processing your personal data where it is necessary for us to comply with a legal or regulatory obligation that we are subject to.
- **Public Task:** means where we need to process your personal data in order to carry out tasks in the public interest.
- **Legitimate Interest:** means the interest of our business in conducting and managing our business to enable us to give you the best service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).

Purpose/Activity	Types of data	Lawful basis
To process your registration for fflecsi DRT services	(a) Identity (b) Contact (c) Marketing and Communications	(a) Necessary for the performance of our public task (to administer the fflecsi DRT service on behalf of bus operators) (b) Necessary for our legitimate interests (to keep in touch with our customers and provide updates)
To process your bookings for fflecsi DRT services	(a) Identity (b) Contact	(a) Necessary for the performance of our public task (to manage and schedule the fflecsi DRT service on behalf of local (transport) authorities)
To send email/text updates or communicate updates related to fflecsi DRT services	(a) Identity (b) Contact (c) Marketing and Communications	(a) Necessary for the performance of our public task to manage and schedule fflecsi DRT bookings on behalf of bus operators (b) Necessary for our legitimate interests (to keep in touch with our customers and provide updates)

To contact you about your fflecsi DRT registration and bookings to resolve queries	(a) Identity (b) Contact	(a) Necessary for the performance of our public task (to administer the fflecsi DRT services on behalf of local (transport) authorities) (b) Necessary for our legitimate interests (to provide excellent customer service and contact customers where they have raised queries)
To administer the fflecsi DRT service, including analysis of use and potential modifications to the scheme, and counter fraud initiatives	(a) Identity (b) Contact	(a) Necessary for the performance of our public task (to administer the concessionary travel card scheme on behalf of transport authorities) (b) Necessary to comply with our legal obligations (to prevent fraud and misuse of the scheme)
To make suggestions and recommendations to you about services or news stories that may be of interest to you, for fflecsi DRT services, bus services and wider TfW services such as rail	(a) Identity (b) Contact (c) Technical (d) Profile and marketing preferences	(a) Necessary for our legitimate interests (to develop our services)

Third-party marketing

We will get your express opt-in consent before we share your personal data with any company outside TfW for marketing purposes.

Opting out

You can ask us or third parties to stop sending you marketing messages or email updates at any time by following the opt-out links on any marketing message sent to you through the fflecsi website or by contacting us at any time by email at helo@fflecsi.wales

Disclosures of your personal data

We may have to share your personal data with the parties set out below for the purposes set out in the table above:

- Service providers acting as our processors who provide, customer service, IT, booking and scheduling and system administration services.
- Local transport authorities (normally local councils) who are the statutory providers of the bus services in Wales
- Professional advisers including lawyers, bankers, auditors and insurers based in the United Kingdom who provide us with consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities based in the United Kingdom who require reporting of processing activities in certain circumstances.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

We will not allow 3rd party data processors to use sub-processors or contractors without the written permission of TfW and only when TfW as the data owner has checked that a written agreement is in place.

International transfers

Some of our external third party service providers are based outside the European Economic Area (EEA) so their processing of your personal data will involve a transfer of data outside the EEA.

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see European Commission: Adequacy of the protection of personal data in non-EU countries.

Where we use providers based in the US, we may transfer data to them if they are part of the EU-US Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US. For further details, see European Commission: EU-US Privacy Shield.

Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

Data retention

How long will you use my personal data for?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances you can ask us to delete your data: see Request erasure below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

You have the right to:

- **Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with the law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information provided by you which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us.

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). 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.

What we may need from you

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.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.