

CP 1.2 Annex 1 to Information Strategy: Information Charter

Transport Focus holds information about individuals in various aspects of its work and for various purposes. The vast majority of this data is low risk – for example where individuals proactively provide us with their details so we can stay in touch with them – but some is sensitive. This second category includes details of passengers who have approached us to help them with a complaint, for example. In this respect, we have developed a privacy policy which follows and is also available on our website. This Charter has been developed to ensure those individuals for whom we hold and process personal data can be assured we treat such data with the degree of care it merits. The privacy policy gives effect to this Charter by helping train our staff and managing customer expectations.

We know how important it is to protect your privacy and to comply with the Data Protection Act 1998 and the General Data Protection Regulation 2018. If we ask for your personal information we will:

- let you know why we need it
- only ask for what we need, and not collect excessive or irrelevant information
- make sure nobody has access to it who shouldn't
- only keep it for as long as we need to
- not make it available for commercial use (such as marketing) without your permission

In return, to help us keep your information reliable and up to date, we ask you to:

- Give us accurate information
- Tell us as soon as possible of any changes, such as a change of address

How to find out what personal information we hold about you

You can find out if we hold any personal information about you by making a “subject access request” under the Data Protection Act 1998. If we do hold information about you we will:

- give you a description of it
- tell you why we are holding it
- tell you who it could be disclosed to
- and let you have a copy of the information in an intelligible form.

To help us give you the information you want, we need you to tell us which part of our organisation you have been dealing with and why you believe we hold that information.

Under the Data Protection Act we are allowed to charge a fee for responding to a subject access request. It is not currently the policy of Transport Focus to charge for subject access requests.

To make a subject access request to Transport Focus, please see contact details below.

When we share information

We are committed to providing the best and most efficient service to our customers. We may share personal information within our organisation or with other bodies where it would be compatible with the purpose for which we collected it, and/or where we are required or permitted to do so by law.

To find out more about whom we share information with, please see contact details below.

The training and guidance we give to our staff

We provide general awareness training to all our staff, and those in positions with formal responsibility for information handling receive additional specific training.

You can ask to see what guidance we provide to our staff via the contact details below.

How to contact us or make a complaint

If you are unhappy with the way we have handled your personal information and wish to make a complaint, please contact the Senior Information Risk Owner. We will acknowledge your complaint within 5 working days and let you have a full response within 20 working days. If it is not possible to respond fully within this timescale, we will write and let you know why and say when you should receive a full response.

Senior Information Risk Owner
Transport Focus
Fleetbank House
2-6 Salisbury square
London EC4Y 8JX

Or email to siro@transportfocus.org.uk

Transport Focus is the operating name of the Passengers Council

For independent advice about data protection, privacy and data sharing issues, you can contact the:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

*Authorised by the Board of Transport Focus meeting in London, 10 December 2008
(Updated July 2010, August 2011 and May 2018)*

Privacy Policy May 2018

By submitting your details to us, either by email, in writing, over the phone or via this website, you are deemed to have accepted our use of your personal information.

The data controller as defined by the Data Protection Act 1998 is the Passengers Council, operating under the name 'Transport Focus'.

Our Information Charter

We process personal information in line with both the Data Protection Act 1998 and our Information Charter.

Information we collect from you

We collect personal information from you if you email us with consumer enquiries and complaints about rail, bus, coach, tram and road journeys, with comments and complaints about the Transport Focus service and with feedback on the site.

Information collected may include personal details such as names and addresses, email addresses and details of individual queries. In addition, we collect information on the usage of the site itself. This usage information will not identify you individually and is stored and processed in aggregate and will not allow the identification of individual users.

Please note that you are not required to provide your personal details to use the Transport Focus website, though if you choose not to this may limit the extent to which you can use the site.

Lawful basis for processing your data

We are required to have and explain a valid lawful basis for holding and processing your data. In respect of passenger enquiries and complaints this basis is provided in Article 6 (1) (e) of the General Data Protection Regulation 2018: **processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller**. The 'official authority' in this case is set out in section 76 of the Railways Act 1993.

How we protect your privacy

Any personal information you provide will be held securely by Transport Focus in accordance with the Data Protection Act 1998 and the General Data Protection Regulation 2018. These Statutes protect your personal information and ensure that:

- we only hold and process your information for purposes that we make clear to you in advance
- we keep your information only for as long as we need to carry out these purposes
- we will put in place appropriate measures that ensure your information is held and processed securely and confidentially.

If you provide us with 'sensitive personal data' as defined by the Data Protection Act 1998, we will never pass this information on to a third party without your explicit consent. If you withhold such consent, it may limit the extent to which we can deal effectively with your complaint or query.

Sensitive personal data means personal data consisting of information relating to a data subject which identifies:

- (a) racial or ethnic origin
- (b) political opinions
- (c) religious beliefs or other beliefs of a similar nature
- (d) membership of a trade union
- (e) physical or mental health or condition
- (f) sexual life
- (g) the commission or alleged commission of any offence, or
- (h) any proceedings for any offence committed or alleged to have been committed, the disposal of such proceedings or the sentence of any court in such proceedings.

How we use the information

Consumer enquiries and complaints

If you email us with an enquiry or complaint, we will use the information you have provided to advise you on your rights as a consumer, on how to avoid problems and how to address any problems you may have encountered.

If you are making a complaint, we may need to pass information you have provided to a service provider (often but not limited to a train operator (this includes information routed via an agency or automated portal acting on our or their behalf) or to the London Transport Users' Committee operating as London TravelWatch to address a problem you have encountered. Enquiries may be forwarded to other service providers. Unless you tell us otherwise, but with the exception of sensitive personal data as described above, we will assume that you have already provided your personal details as they relate to your complaint or query to the third party to which your complaint or query is directed and that you consent to any further processing or routing of your information as it is necessary, in our opinion, to help you resolve the problem you have encountered. We will hold details of your enquiry or complaint for three years.

We may also share your information with third parties with whom we work to help improve the passenger experience of rail industry operations, complaint handling and redress arrangements. In such circumstances the appropriate measures we will put in place to protect your privacy will include the conclusion of a data sharing agreement with the third party regulating the use of any data we share with them. Among other limitations, such an agreement will always prohibit the onward sharing of any personal data.

If you are making a complaint or query on behalf of another adult or adults, we may ask you to confirm in writing that you are doing so with their authority. This applies to circumstances, for example, in which one adult contacts us on behalf of a group of travellers who have experienced a similar problem, or where an adult is physically or mentally unable to contact us in their own right. If you are making a complaint or query on behalf of a child under the age of 16, we may ask you to confirm that you are the child's parent or legal guardian. Please note that we expect anyone over the age of 16 to contact us in their own right, unless there are clear grounds for an adult to contact us on their behalf.

Comments and complaints about us

If you have a comment on the service you have received - good or bad - we will use the information you provide to help us maintain and enhance our service to all our customers. We will hold details of your comments for about three years.

If you have a complaint about Transport Focus itself, we will use the information you provide to investigate your complaint. If your original enquiry or complaint was passed on to a partner organisation, we may also need to pass details of your complaint to them to help them investigate your complaint further. We will hold details of your complaint for about three years.

Feedback

We welcome your feedback. If you provide feedback on our website through our on-line form we will only use this information to develop and improve the site. We may hold details of your feedback for up to one year.

Cookies and visitor statistics

Cookies are files that a website can store on your computer when you visit the website. These files contain information about your use of a website and may contain personal details. This site uses cookies to gather statistics on visitors' use of the site.

We will use this information to make improvements to the layout of the site and to the information in it, based on the way that visitors enter, move around and leave the site.

If you wish to see the information we hold about you

You have a right to request a copy of your personal details at any time to check the accuracy of the information held by us.

If you wish to do this, please write (explaining that your interest is in personal data maintained by Transport Focus) to the address below:

Senior Information Risk Owner
Transport Focus
Fleetbank House
2-6 Salisbury Square
London
EC4Y 8JX

Links to other sites

Our website contains links to external websites, mainly those of train operating companies, but also those of other organisations. This privacy policy applies only to our website.

We are not responsible for the privacy practices of external sites. You should always be aware of this when you leave our site and we encourage you to read the privacy statement on any other website which collects personal information.

Changes to this privacy policy

When this privacy policy changes, we will update this page. This update will be shown in the 'Recently updated' section on the home page. Please check back regularly so that you are aware of the information we collect, how we use it and under what circumstances, if any, we will share it with other parties.

You should always check the privacy policy before using the site, even if you have visited it in the past. This ensures that you will be aware of any changes. Changes to our privacy policy do not affect information we already hold about you.

7 May 2018