

Privacy Notice

This privacy notice sets out how West Berkshire District Council (the “**Council**”) will use your personal data, and your rights in relation to that personal data. This document describes how and why we collect, store, protect, process and share the data you give to us. It is written in accordance with the UK data protection legislation.

This notice relates to personal data collected to help the Council provide residents with a free National Off-Peak Bus Pass. The Council uses your data to confirm your eligibility for that Bus Pass.

This notice applies to potential, current and former customers of the service and those we have contacted but have opted not to partake in the service. It is important that you read this notice so that you know how and why we use information about you. It is also important that you inform us of any changes to your personal information so that the information which we hold is accurate and current.

Date of Issue: 26 October 2021

Update History:

27 Apr 2018	First issue of a new Privacy Notice
01 Feb 2019	Second issue of Privacy Notice updated to reflect change of provider to Euclid
26 October 2021	Amended to include HOPS detail
13 April 2022	Minor amendment to contact details of the Data Protection Officer

Directorate: Place

Service: Environment

Team: Transport Services

About the Organisation

The Council is the Data Controller. This means it is ultimately responsible for the data it holds about you.

Contact Address:

West Berkshire District Council
Market Street
Newbury
Berkshire
RG14 5LD

ICO Registration Number: **Z6825178**
<https://ico.org.uk/ESDWebPages/Entry/Z6825178>

The Data Protection Officer

Contact details for the Data Protection Officer at the Council can be found at:
www.westberks.gov.uk/dpofficer

THE PERSONAL DATA WE HOLD ABOUT YOU

We will process the following personal data about you:

For both Older Persons Bus Passes and Disabled Bus Passes we collect:

- your full name
- address
- date of birth
- gender
- telephone number
- email address
- signature

For Disabled Bus Pass Holders we also collect:

- information on the nature of the disability (according to the eligibility criteria)

We also ask for a passport quality photo which will be shown on the Bus Pass card. This is for identification and fraud purposes.

The Bus Pass card is a Smart Card. This enables data about usage to be captured, stored and shared.

For replacement Bus Passes, data such as names, address and dates of birth will be collected in order for us to verify whether a pass should be issued.

These details are collected by the Council and passed to the Council's contractor Euclid to be held on their database. Euclid specialise in processing and delivering Bus Passes.

Usage data about some journeys made is pseudonymised and kept by a third party contractor Ticketer.

All data will be protected using up-to-date technical and organisational security measures.

SOURCE OF YOUR PERSONAL DATA

We collect the above information about you from the data you provide when applying for a bus pass or if you update your details as they have changed.

PURPOSE AND LEGAL BASIS FOR PROCESSING YOUR PERSONAL DATA

In accordance with the data protection laws, we need a "legal basis" for collecting and using information about you. There are a variety of different legal bases for using personal data which are set out in the data protection laws.

We have set out below the different purposes for which we collect and use your personal data, along with the legal basis we rely on to do so.

Why we use your information	Our legal basis for using your information

<p>We will use your data to confirm your eligibility for a Bus Pass. For an Older Persons Bus Pass we decide this by age and residency within West Berkshire, so we need proof of this.</p> <p>For Disabled Bus Passes we look additionally at disability criteria, so we need evidence of this to decide whether you qualify for a Bus Pass.</p> <p>The data we collect is uploaded into a third party database operated by Euclid. This is used to process and send out the Bus Pass to the registered address. Euclid and their partner Unicard work closely together to provide the full Concessionary Fare Scheme as set-out by government legislation.</p> <p>Data about your travel using the Bus Pass is also held, as required by ITSO Limited (https://www.itso.org.uk) and the National Concessionary Bus Scheme. This helps to calculate the reimbursement payments of concessionary fares to operators and in some instances other local authorities.</p> <p>Once information is collected and processed, data validation will continue to confirm continued entitlement to a National Off-Peak Bus Pass with the Council.</p> <p>General information about concessionary bus passes will be kept for statistical and reporting purposes.</p> <p>More information on West Berkshire Council's Concessionary Fares scheme is available on the Council's website at</p>	<p>Performance of a contract: Article 6b of the General Data Protection Regulations ("GDPR") namely processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.</p> <p>Public Task: Article 6e of the GDPR namely the processing is necessary for the performance of a task carried out in the public interest. The Council has a statutory duty to perform this function in legislation through the Transport Act 2000 (as modified by the Concessionary Bus Travel Act 2007)</p> <p>Consent: Where you have provided your consent for us to use your personal data in this way. If you do not wish the Council to process your personal data, the Council will not be able to issue you with a Bus Pass.</p>
<p>Why we use your information</p>	<p>Our legal basis for using your information</p>
<p>https://info.westberks.gov.uk/concessionaryfares</p> <p>Where a service or information request requires you to submit further personal information, a separate privacy notice will describe how we will use that data.</p>	

SHARING YOUR PERSONAL DATA

Your data will be seen by employees of the Council relevant to the service or information request you have made. Only suitably trained and authorised Council employees have access to full personal data collected as part of the process of issuing a bus pass and collating bus pass usage

We may share your personal data with third parties where it is necessary for the delivery of the service and for no other reason. The third parties we share your data with are: -

EUCLID solely for the purpose of processing and sending out Bus Passes. You can read their privacy notice here - <https://www.euclid.co.uk/privacy-policy>. Euclid (with partners **UNICARD**) also collate information on usage of bus passes – you can read Unicard’s privacy notice here - <http://www.unicard-uk.com/privacy.html>

Euclid (with partners Unicard) keep full details about all Concessionary Bus Pass journeys undertaken by West Berkshire issued bus passes across England as part of the contract with the Council. Unicard specialise in providing data about customer journeys on transport systems. Details on journeys by West Berkshire Concessionary Fare holders are additionally uploaded into Euclid’s concessionary fare database. These details are not anonymized.

Euclid (with partners Unicard) as part of the contract with the Council also hold details of journeys undertaken in West Berkshire by holders of the National Off-Peak Bus Pass issued by other local authorities.

TICKETER operate the ticket machines on buses and they retain data solely for the statistical purpose of assessing how many journeys are concessionary.

BUS OPERATORS retain a record of concessionary fare journeys for reimbursement purposes.

We may also share your data if we are required to do so by law, for example by court order or to prevent fraud or other crime. Police references maybe checked for the purposes of verifying a stolen or lost property number.

RETAINING YOUR PERSONAL DATA

Your personal data will not be kept longer than necessary. The information will be stored on Euclid for seven years after the pass becomes inactive. Copies of the initial applications forms are retained for five years.

You can check how long the Council will keep each type of data against our retention schedule (www.westberks.gov.uk/retention).

YOUR RIGHTS

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information 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. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.
- **Withdraw consent** to the processing of your personal data at any time, where processing is based on your consent. To withdraw your consent, please contact our Data Protection Officer using the contact details below. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

HOW TO MAKE A REQUEST

If you wish to make a request associated with any of the rights listed above, contact the Council using the contact details at the top of this notice.

INTERNATIONAL TRANSFERS

Your personal data will not be processed outside the UK or by an international organisation.

COMPLAINTS

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. Further information can be found at: <https://ico.org.uk/make-a-complaint/your-personalinformation-concerns/>

The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9
5AF
0303 123 1113

Email: casework@ico.org.uk

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.