

RAIL STAFF TRAVEL PRIVACY NOTICE

Issue Date- 24 July 2020

This Privacy Notice supersedes the version that was published on 3 March 2020. This version has the following amendments:

- Amended reasons that we may contact employees to include keeping them updated on information relating to their use of rail staff travel facilities.
- Making it clear that we may use footage from Body Worn Cameras when dealing with Travel Irregularities.
- That we will provide data for disciplinary purposes, if requested
- Amended some typos.

The purpose of this notice is to make you aware of how we will manage and protect your personal data.

1 - Introduction

This Privacy Notice explains in detail the type of personal data that we may collect about you when you, or your employer, or your authorised representative interacts with us. It also explains how we store, process and keep your data safe. This notice applies to current, future and former recipients of rail staff travel facilities. In addition, this applies to applicants for rail staff travel facilities who are not eligible to receive rail staff travel facilities.

There is a lot of information here but we want you to be fully informed about your rights, and how Rail Staff Travel (RST) uses your data for the purpose of providing rail staff travel facilities.

We hope the following sections will answer any questions that you have but if not, please do get in touch with us.

It's possible that this Privacy Notice will be updated from time to time so please check here for any updates. The date the policy was last updated will be at the top of this page.

In respect of data we already hold about you (received either from your current or former employer(s) or you personally) and any data submitted to us in future by you, your employer or your authorised representative or in respect of the use and usage of you rail staff travel facilities, RST is the data controller.

2 - Definitions

The use of the words "we", "our", "us" and "RST" in this Notice refers in each case to Rail Staff Travel.

The use of "you", "your" and "primary cardholder" in this Notice refers in each case to the employee or retired employee but may also be the widow(er) or employee applicant for rail staff travel facilities.

The use of “dependant” or “your dependant” in this Notice refers to a dependant that is or has previously been an eligible family member of the primary cardholder, but may also be a dependant applicant for rail staff travel facilities or a family member of the primary cardholder that is not eligible for rail staff travel facilities.

The use of “authorised representative” in this Notice refers to a person that has legal authority to act on behalf of the primary cardholder, for example by Power of Attorney or Deputyship.

When referring to “your information” or “your data” this applies to the data of the primary cardholder and any dependants that includes information or data supplied by you, your dependant, your authorised representative, your current, former or future employer or from your usage of your travel facilities, e.g. details of journeys made using our rail staff travel facilities.

The use of the words "rail staff travel facilities" and "rail staff travel facility" refers in each case to any card, pass, coupon, season ticket document, voucher, letter or other document that provides any free or reduced rate National, International, TOC Specific or Group Specific travel.

The terms defined in the singular have a comparable meaning when used in the plural, and vice versa.

3 - Who is RST?

Rail Staff Travel Ltd (RST) is part of the Rail Delivery Group. RST provide rail staff travel facilities for you and your eligible dependants as current or former employees of the rail industry. Eligibility uses various criteria based upon your career history and other relevant details.

4 - Explaining the legal bases on which we rely

The law on data protection sets out a number of different reasons for which a company may collect and process your personal data, including:

Legitimate interests

This effectively means that we can collect, process and store your information if:

- We have a genuine and legitimate reason and we are not harming any of your rights and interests

When you provide your information to us we use your information to pursue our legitimate interests in a way which might reasonably be expected as part of providing rail staff travel facilities to you, your dependants and the rest of the rail industry and which does not materially impact your rights, freedom or interests.

We will use your data to issue you with rail staff travel facilities for which you are eligible or for the prevention of fraudulent use of rail staff travel facilities.

Consent

For specific purposes or requests, we collect, process and store your data with your consent.

When you send us a form or request relating to:

- a dependant in respect of rail staff travel facilities
- a request for a rail staff travel facility or service supplied by RST such as residential travel or international coupons.

Legal compliance

If the law requires us to, we may need to collect, process and store your data.

This means that we must pass details of alleged Travel Irregularities, fraudulent use or fraudulent applications for you and/or your dependants to your employer, or Train Operating Companies (TOCs), or Transport for London so that they can investigate. We also pass on details where we, a TOC or a law enforcement agency believe you or a dependant are involved in fraud or other criminal activity.

5 - Why do we collect your data?

We have a genuine and legitimate reason to collect, process and store your data solely for the purpose of administering and issuing you and your dependants with rail staff travel facilities. We only collect, process and store data that is required to validate your and your dependant's eligibility to rail staff travel for this purpose.

Why we collect your data:

- To administer, fulfil and issue rail staff travel facilities to you and your dependants for which you are eligible
- To check the eligibility to rail staff travel facilities that you and your dependants may request, amend or when they are renewed
- To check the ongoing eligibility to rail staff travel facilities that you and your dependant already hold
- To respond to your queries and complaints.
- Handling your information enables us to respond. We may also keep a record of this to inform any future communication and to demonstrate how we communicated with you throughout. We do this on the basis of our legitimate interests in providing you with the best service and, in addition, understanding how we can improve our service based on your experience.
- To process payments for lost and damaged cards/passes. We do this on the basis of our legitimate business interests.

- To identify any fraudulent applications for, or use of, rail staff travel facilities that would compromise the integrity or continuing provision of rail staff travel facilities to you or your dependants or other recipients of rail staff travel facilities.

If we discover, or are made aware of, any criminal activity or alleged criminal activity from contacts at the TOCs, employers, or other national and international rail staff travel providers, we process this data for the purposes of preventing or detecting unlawful acts.

- To comply with our legal obligations to share data with law enforcement.
- To keep you updated on any information that relates to usage of your rail staff travel facilities. You cannot opt out from receiving this information as they are necessary service messages.
- To verify we hold the correct details for you- this will generally be prior to any main renewals of cards/passes.
- To verify that you are only receiving full national rail staff travel facilities as either an employee or a dependant.
- To send you survey and feedback requests to help improve our services. These messages will not include any promotional content. You are free to opt out of receiving these requests from us at any time by letting us know.

6 - How do we collect your data?

To provide you with your initial rail staff travel facilities, your employer sends us your details so we can create a record on our database for you. We can only get this initial data from your employer. Once we have a record for you, we will only collect, process and store data where it affects your rail staff travel facilities or the eligibility to them of you or your dependants in the following ways:

- When you advise us of any change that affects your rail staff travel facilities or those of your dependants
- When your future, current or former employer advises us of any change that affects your rail staff travel facilities
- When a TOC or law enforcement agency contacts us about possible fraud involving you or your dependants.
- When you've given a third-party permission to share with us the information they hold about you.
- When we are informed about use of the rail staff travel facilities issued to you or your dependants, i.e. journey data

7 - What data do we collect?

We collect, process and store the following categories of personal information about you and any dependant about whom you provide information. We always keep a record of the employee, even if the primary cardholder is now the widow(er), as it is only through the employee that eligibility continues. We will only collect your data where it affects the administration of your rail staff travel facilities or the eligibility to them of you or your dependants.

- Employee Identifier: your names including former names and passport names where these differ to your employee name, your title, your National Insurance number
- Employee address: your postal address or that of your authorised representative, including date last submitted or checked
- Employee date of birth
- Employee contact details: your personal and work email addresses, your home and/or mobile phone numbers
- Employee notes: where we have made notes on the system relating to the administration of your rail staff travel facilities. This will include your nationality where this is requested by third parties to issue free tickets. Currently this is only requested by Irish Ferries.
- Employee survey: we note your preference as to whether or not you wish to be included in RST's customer service survey
- Employee medical identifier and information: we only collect, process and store this information if you have indicated that you are blind, disabled or need an attendant to accompany you when travelling; or are no longer able to travel, or it is required to establish your eligibility to rail staff travel facilities.
- Employee unemployment identifier and information: we only collect, process and store this information where proof of unemployment is required to establish eligibility to rail staff travel facilities, we have details of when this information was last provided so we know when you need to provide it again
- Employee authorised third party: we only collect, process and store this information where you have given us permission to speak to someone else about your rail staff travel facilities, for example under a Power of Attorney or Deputyship
- Employee union status: we only collect, process and store this information where you are a Union Rep and this is required to establish eligibility to specific rail staff travel facilities
- Employee cards and passes: we record all of the cards and passes we have issued to you
- Employee international coupon: we record all of the International Coupons we have issued to you (if any).

- Employee career history: your career history details but only where it affects your eligibility for or nature of the rail staff travel facilities.
- Employee preserved details: this is a copy of your career history at the point that you became eligible to retain Safeguarded rail staff travel facilities after leaving employment
- Employee dependants: this lists details of your current and former dependants (i.e. spouse, partner, children, housekeeper)
- Employee travel irregularity: if we have been made aware of an alleged Travel Irregularity we collect, process and store the details of it. This includes the nature of irregularity, where it occurred, how and when, and the outcome including any penalty imposed
- Employee payment history: if you have made any payments for replacement cards we record this. Only the date, amount, method and reason are stored – we do not store any payment card or bank details whatsoever
- Employee photo: a photo you have provided so that we can issue you with a rail staff travel facility which requires a photo, and the date it was supplied. We also may have images supplied previously
- Suppressions information: Identifiers that allow us to suspend your record permanently or temporarily for example, resulting from a removal of rail staff travel facilities due to a Travel Irregularity or because you receive rail staff travel facilities through a partner who also works in the rail industry

We also hold the same information, where relevant, about any dependants that you have supplied details of, i.e:

- Dependant Identifier: your dependant's names including former names and passport names where these differ to your dependant's name, their title, your child/partner dependant's National Insurance number where they are aged 18 or over.
- Dependant date of birth
- Dependant relationship: the nature of the relationship to you as your dependant, for example, spouse, partner, child dependant
- Dependant notes: where we have made notes on the system relating to the administration of your dependant's rail staff travel facilities.
- Dependant medical identifier and information: we only collect, process and store this information if you have indicated that your dependant is blind, disabled or needs an attendant to accompany them when travelling; or are no longer able to travel, or it is required to establish your dependant's eligibility to rail staff travel facilities.

- Eligibility status for dependants that are not your spouse, partner or housekeeper aged over 16 years: we collect, process and store information in the form of declarations provided by you attesting to their status, and copies of any documents provided by you as proof of such status, such as educational enrolment, and copies of pay slips. If you provide a copy of a passport, the data may also include their place of birth, gender, nationality and facial image.
- Dependant cards and passes: we record all of the cards and passes we have issued to your dependant
- Dependant international coupon: we record all of the International Coupons we have issued to your dependant (if any).
- Dependant travel irregularity: if we have been made aware of an alleged Travel Irregularity we collect, process and store the details of it. This includes the nature of irregularity, where it occurred, how and when, and the outcome including any penalty imposed
- Dependant photo: a photo you have provided for your dependant so that we can issue them with a rail staff travel facility which requires a photo, and the date it was supplied. We also may have images supplied previously
- Suppressions information: Identifiers that allow us to suspend your dependant's record permanently or temporarily for example, resulting from a removal of rail staff travel facilities due to a Travel Irregularity or because they also receive rail staff travel facilities as an employee
- Information about Travel Irregularities which may include CCTV images or images from body worn cameras (if provided as part of the report), images of cards/passes and full details of alleged Travel Irregularities.

We also collect, process and store evidentiary official documentation where required to support eligibility for you and your dependants. For example, copies of birth and marriage certificates, evidence of unemployment or wage level, information from medical professionals, etc.

Although listed above, some of the information we collect, process and store is considered as being "special categories" as it is more sensitive personal information. This is:

- Information about your or your dependant's health if any factor is relevant for eligibility to receive rail staff travel facilities
- Information about Power of Attorney, Deputyship, or other authorised person where you have given us permission to speak to someone else on your behalf about your rail staff travel facilities
- Whether you are a Trade Union rep (this is only stored where relevant for issuing rail staff travel facilities because of your Trade Union rep status)

- Unemployment status (where you are required to prove that you are unemployed to be eligible for rail staff travel facilities)
- Information you have supplied about your or your dependant's physical or mental health, or disability status, if this affects your or your dependants' eligibility to rail staff travel facilities.
- If you add a spouse or partner to your record this may indicate your sexual orientation. A spouse or partner can be identified as being of the same-sex as rail staff travel facilities in other countries differ according to such marital/partnership status

We will also collect, process and store notes from our conversations with you, details of any complaints or comments you make, and how and when you contact us.

8 - How do we protect your data?

We know how much security of your data matters. We treat your data with care and take all appropriate steps to protect it.

We secure access to all areas of our systems and websites including where you are uploading forms securely using encryption, for example 'https' technology.

We do not store payment card information.

We regularly monitor our systems for possible vulnerabilities and attacks, and we carry out penetration testing to identify ways to further strengthen security. Third parties only process your personal information on our instructions and only where they have agreed to treat the information confidentially, to keep it secure and destroy it as soon as it is no longer needed.

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

9 - How long will we keep your data?

One of the key principles of the General Data Protection Regulations (GDPR) is that the personal data we collect, process and store shall be adequate, relevant and limited to what is necessary for the purpose for which it was originally collected. As rail staff travel facilities may cover your lifetime and the lifetimes of your dependants, it is necessary to retain your personal data for the remainder of your life and any dependants' lives in order to confirm your and their ongoing eligibility.

Some TOCs provide TOC-specific or Group-specific rail staff travel facilities to you and your dependants after you have left their employment, based on your length of service in the industry and not just your employment with them. These provisions change from time to time as the franchises of the TOCs are changed. As we generally have a more complete career history for rail employees than an individual employer may have, we retain your data so that you are not disadvantaged should you be eligible for rail staff travel facilities at a future date.

We are unable to erase your or your dependant's data as we need to keep a record that shows what your and your dependant's eligibility was throughout your career, in case you or your dependants request rail staff travel facilities, or information about them, in the future.

With regards to documentation relating to a Travel Irregularity, for example physical cards and passes, these may be destroyed one month after the Travel Irregularity has been concluded.

10 - Who do we share your data with?

We sometimes share your data with trusted third parties, such as your future, current or former employer for the purpose of validating your eligibility to and level of rail staff travel facilities.

We also share your data with print and fulfilment houses that issue your rail staff travel facilities on our behalf or on behalf of your current or former employer.

We currently may supply your data to one or more of these print and fulfilment houses:

- Royale Graphics (for paper cards/passes)
- ESP System (for plastic/smart cards)
- EUCLID (for plastic/smart cards)
- ECEBS (for plastic/smart cards)
- Transport for London (for staff oyster cards)

The policy that we apply to those organisations to keep your data safe and protect your privacy is that:

- We provide only the information required to perform the specific service.
- They may only use your data for the exact purposes we specify to them.
- When the specific rail staff travel facility production has been completed, they destroy the data we had provided and confirm that they have done so
- If we stop using their services, any of your data held by them will be deleted immediately.

The IT companies that support our database and other business systems may have access to your data in order to maintain our systems. These are:

- iBlocks Ltd
- WebX

These companies have security measures in place which comply with GDPR.

Sharing your data with third parties for their own purposes:

We will only do this in very specific circumstances, for example:

- For fraud management, we may share information about alleged fraudulent activity that involves the use of rail staff travel facilities. This may include sharing data about individuals with law enforcement bodies, TOCs and Transport for London. The data disclosed may also include journey data where this is available (e.g. if you have a smartcard).
- When you are moving between employers and your prospective employer asks what your current rail staff travel facilities are to ensure they can meet your expectations
- To assist employers with any disciplinary investigations where data is requested. This could include providing journey data from smartcards. This can only be requested by the named contact that Rail Staff Travel has for the company.
- To make employers aware of any abusive or threatening behaviour towards RST staff as mentioned in our Customer Charter.

We may also need to share your information with a regulator or to otherwise comply with the law.

We may also be required to disclose your data to the police or other enforcement, regulatory or Government body, in your country of origin or elsewhere, upon a valid request to do so. These requests are assessed on a case-by-case basis and take your privacy into consideration.

For further information please contact our Data Protection Team

11 - Where is your data processed?

Sometimes we may share your data with third parties and suppliers outside the European Economic Area (EEA) but only in response to a request from you for specific rail staff travel facilities for these countries.

Requests for international free or reduced rate travel

If you are eligible for free or reduced rate travel in the following countries outside the EEA:

- Switzerland
- Turkey
- United States of America
- Bosnia and Herzegovina
- Serbia
- North Macedonia

- Romania

In order to provide you with documentation to permit such travel, we provide the issuing authority in that country some or all of the below via email:

- Full name, including title
- Date of birth
- Date entered service
- Date joined current employer (if different)
- Job title and grade
- Full name of spouse
- Full names of dependants and dates of birth
- Details of the journey required

Protecting your data outside the EEA

Apart from the circumstances described above, we do not process or store any data outside of the EEA.

12 - What are your rights over your personal data?

An overview of your different rights

- You have the right to request:
- Access to your data that we hold about you, free of charge in most cases
- The correction of your data when incorrect, out of date or incomplete
- That we stop using your data for service quality surveys or other purposes
- Deletion of your data that we hold about you

You can contact us to request to exercise these rights at any time by clicking here <https://privacyportal-eu-cdn.onetrust.com/dsarwebform/9b3b1acc-9f1b-4f29-b26a-0e42305da169/48b24b68-bc8d-4051-a5b4-37eb3278610b.html> or writing to us at:

Scheme Compliance Manager
Rail Staff Travel
PO Box 72071
London
EC1P 1JD

If we choose not to action your request we will explain to you the reasons for our refusal.

Where we rely on our legitimate interest

In cases where we are processing your data on the basis of our legitimate interest, you can ask us to stop for reasons connected to your individual situation.

We must then do so unless we believe we have a legitimate overriding reason to continue processing your data.

Checking your identity

To protect the confidentiality of your information, we will ask you to verify your identity before proceeding with any request you make under this Privacy Notice.

If you have authorised a third party to submit a request on your behalf, we will ask them to prove they have your permission to do so.

13 - How can you stop the use of your data for service quality surveys?

If we have sent you a survey about our services and you no longer want to receive surveys, simply let us know and we will stop. You can do this by:

Email us at: rst@raildeliverygroup.com

Write to us at:

Rail Staff Travel
PO Box 72071
London
EC1P 1JD

From the UK, call us free on: 020 7841 8274

Phone lines are open from 9am to 4.30pm each weekday (excl Bank Holidays)

From outside the UK, call us on: +44 20 7841 8000 and ask for Rail Staff Travel

14 - RST web pages as a part of the Rail Delivery Group website

Rail Staff Travel Ltd is part of the Rail Delivery Group and our web pages are a part of the Rail Delivery Group website. The Rail Delivery Group Privacy Policy relating to the use of the website is documented at <https://www.raildeliverygroup.com/privacy-policy.html>

15 - Contacting the Regulator

If you feel that your data has not been handled correctly, or you are unhappy with our response to any requests you have made to us regarding the use of your data, you have the right to lodge a complaint with the Information Commissioner's Office.

You can contact them by calling 0303 123 1113.

Or go online to www.ico.org.uk/concerns (opens in a new window; please note we are not responsible for the content of external websites)

If you are based outside the UK, you have the right to lodge your complaint with the relevant data protection regulator in your country of residence.

16 - Any questions?

We hope this Privacy Notice has been helpful in setting out the way we handle your data and your rights to control it.

If you have any questions that haven't been covered, please contact our Data Protection Partner who will be pleased to help you:

Email us at: rst@raildeliverygroup.com marked for the attention of the Data Protection Partner

Write to us at: Data Protection Partner

Rail Staff Travel
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