

Privacy Notice - Strafford's Coaches Limited

Who are we?

Straffords Coaches Limited [the Company] needs to collect and process relevant information about individuals; these can include employees, customers, suppliers, business contacts and other people the Company has a relationship with or may need to contact. This notice advises how we collect, handle, process and store this information in compliance with the company's data protection standards and the General Data Protection Regulation 2016/679 (the "GDPR"). The Company is registered with the Information Commissioner's Office under registration reference: Z6650832.

The Data Protection Policy ensures the Company:

- Complies with data protection law and follow good practice;
- Protects the rights of employees, customers and partners;
- Is open about how it stores and processes individual's data;
- Protects itself from the risks of a data breach.

What is Personal Data?

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the General Data Protection Regulation 2016/679 (the "GDPR"). The GDPR replaces the existing DPA (Data Protection Act) regulations with effect from 25th May 2018 and has been adopted by the Company with immediate effect.

How do we process your personal data?

The Company complies with its obligations under the GDPR by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

We use your personal data for the following purposes: -

- For employees –
 - Identification of Employee and their right to work in the UK;
 - Ability to contact Employee with updates to shifts, copies of Contracts, Disciplinary Notifications, Payslips;
 - Identification of correct licence(s) and training for the purpose of the role;
 - Identification of endorsements incurred by the Employee which may have bearing on their licence and eligibility for work;
 - For the purpose of complying with areas of GDPR and Working Time Directive regulations requiring the explicit consent of the Employee;
 - Identification of eligibility for non-UK Tour work;
 - For registration of 'Seconded' Employees in Austria in compliance with the Act to Fight Wage and Social Dumping (LSD-BG);
 - For the purposes of Remunerations (in the form of Wages, Bonuses, Expenses as per contractual rights or otherwise agreed with the Employee's Manager) and payment of Income Tax and National Insurance contributions;
 - Ability to contact the Employee's Emergency Contacts in the event of an Emergency;
 - Identification that the Employee is 'fit for purpose' for aspects of the role and for those which may include working with children or other vulnerable persons;
 - Identification of medical conditions and/or medications which may have bearing on Employee's driving / work performance during active duty;
- For clients:
 - Identification of and ability to contact Client;
 - For the purpose of issuing Invoices for and Receipts of payment;
 - For the purpose of fulfilling the job booked by the Client;
 - To fulfil the legal obligation of the SOLAS Convention for ferry passage as part of a coach journey.
- For passengers:
 - For the purpose of knowing passenger numbers and fulfilling the job booked by the Client;
 - To fulfil the legal obligation of the SOLAS Convention [Safety of Life at Sea] and EU Directive 98/41 for ferry passage as part of a coach journey.

What is the legal basis for processing your personal data?

Processing of personal data is conducted under the following bases under Articles 6, 9 (sensitive personal data) and 10 (criminal offence data) as per the following:

Legal Basis	Article	Individual	Item(s)	Intended purposes for processing the personal data
Contract; Legal Obligation	6	Employee	Contact details: Name, address, telephone number(s), e-mail address	Identification of Employee; Identification of Employee's Right to Work in the UK; Ability to contact Employee with updates to shifts; Ability to contact Employee with copies of Contracts, Disciplinary Notifications, Payslips. For registration of 'Seconded' Employees in Austria in compliance with the Act to Fight Wage and Social Dumping (LSD-BG).
Legal Obligation	6	Employee	Gender	Identification of Employee; For the purpose of paying Income Tax and National Insurance contributions.
Contract	6	Employee	ID Photo	Identification of Employee
Contract; Legal Obligation	6	Employee	Employment Start Date and Wage	For registration of 'Seconded' Employees in Austria in compliance with the Act to Fight Wage and Social Dumping (LSD-BG).
Legal Obligation	6	Employee	Nationality and Work Permit Status	Identification of eligibility for employment. Applicable to Third Country Nationals (TCNs) for registration of 'Seconded' Employees in Austria in compliance with the Act to Fight Wage and Social Dumping (LSD-BG).
Contract; Legal Obligation	6	Employee	Bank details	For the purposes of Remunerations (in the form of Wages, Bonuses, Expenses as per contractual rights or otherwise agreed with the Employee's Manager).
Consent; Legal Obligation; Vital Interests	6	Employee	National Insurance number	For the purpose of paying Income Tax and National Insurance contributions. Provision of service to 'Check My Licence' on behalf of employees. For registration of 'Seconded' Employees in Austria in compliance with the Act to Fight Wage and Social Dumping (LSD-BG).
Legal Obligation	6	Employee	Payroll Number; Tax code; Wage Deductions	For the purposes of Remunerations (in the form of Wages, Bonuses, Expenses as per contractual rights or otherwise agreed with the Employee's Manager); For the purpose of paying Income Tax and National Insurance contributions.
Contract	6	Employee	Emergency contact details	Ability to contact Employee's Emergency Contacts in the event of an Emergency. Emergency contact details will be used in events of emergency circumstances only – e.g. to alert the employee's designated contact(s) to the event of an accident or medical situation or where concerns for Employee welfare have been raised.
Consent; Contract; Legal Obligation	6	Employee	Working in excess of 48 hours; Other consent declarations	Eligible Employees Only: For the purpose of complying with areas of GDPR and Working Time Directive / regulations requiring the explicit consent of the Employee. Employees wishing to, must indicate their decision to 'Opt-Out' of the 48-hour maximum week by declaring their consent. Employees cannot be forced to provide their consent for this and will not be dismissed or treated unfairly for refusing to provide consent. Employees not providing consent to work in excess of 48 hours will not be permitted to work overtime hours available which would take them over 48 hours. This does not apply to PCV drivers who are exempt from opting-out of WTR.
Contract; Legal Obligation; Vital Interests	6	Employee	Driving licence details	Identification of correct and valid licence(s) for the purpose of the role.
Consent; Legal Obligation; Vital Interests	6	Employee	Access to DVLA licence summary reports: <i>To offer this as a service requires consent to use the Driving Licence Number, National Insurance Number and Post Code for access.</i>	Identification of correct Licence for purpose of the role; Identification of endorsements incurred by the employee which may have bearing on the Employee's licence and eligibility for work. Provision of service to 'Check My Licence' on behalf of employees. Strafford's Coaches offers a service to all drivers, directly employed by or working on contract for the company, to access and monitor changes to the DVLA licence summary reports as accessed through the Gov.uk Check My Licence portal. To access these records on behalf of the employee, the employee must first provide Consent. Employees not providing consent will be required under the legal bases of Legal Obligation and Vital Interests to provide the company with a copy of the licence summary either in electronic form (PDF / E-mail) or as a printed copy when requested.
Legal Obligation; Vital Interests	6	Employee	Driver Qualification Card	Identification of correct licence(s) and training for the purpose of the role.

Legal Basis	Article	Individual	Item(s)	Intended purposes for processing the personal data
Consent	6	Employee	CPC Training Records	Provision of maintaining accurate and up-to-date records regarding CPC Training hours in line with drivers holding required number of hours for CPC Driving guidelines and ability to fill gaps in training.
Legal Obligation; Vital Interests	6	Employee	Digital Tachograph Card	Identification of correct equipment being used by employee as per EU Driving Hours and Working Time Directive regulations. Drivers are required to present their card for download on a regular basis to assess for Driving Infringements and time availability around required Daily and Weekly Rest periods as per the EU Driving Hours and Working Time Directive regulations.
Legal Obligation; Vital Interests	6, 10	Employee	DBS Certificate	Identification that employee is 'fit for purpose' for aspects of the role which may include working with children or other vulnerable persons. DBS information is held in accordance with Articles 6 and 10 of the General Data Protection Regulations (GDPR) in that it is held under the bases of Legal Obligation and Vital Interests, and is not held as a comprehensive register. Processing is restricted and limited to assessing eligibility for working on specific contracts offered within the job role.
Consent; Contract; Legal Obligation	6	Employee	Passport details	Identification of eligibility for non-UK Tour work. Employees taking on non-UK Tour work will be requested to present their passport for inspection to confirm that it is valid and again upon renewal. Details stored will be the Passport number, Nationality and Expiry Date only for purposes of logging that a valid passport has been seen. Employees can however volunteer consent for a scanned copy of their passport to be held on their Record for emergency situations (including but not limited to loss of passport).
Vital Interests	9	Employee	Medical Conditions, Medications and Allergies	Identification of medical conditions which may have bearing on employee's driving / work performance during active duty; Identification of medications which may have bearing on the Employee's driving / work performance during active duty; Ability to notify third party contractors (with relation to Tour Work, Training Sessions; Events) of any allergies the employee may have which need to be catered for and around
Consent; Contract; Vital Interests	6, 9	Employee	Random Drug / Alcohol screening	Identification that employee is 'fit for purpose' for aspects of the role without restrictions which may have bearing on employee's driving / work performance during active duty. All employees are required to consent to tests being carried out in the circumstances specified in the Drug and Alcohol Policy when so requested by a manager/director or otherwise designated trained member of personnel. If you refuse to consent to undertake the test, or sign a consent form, the refusal may constitute a disciplinary offence for failure to follow a reasonable management instruction. In such circumstances the individual will be dealt with under the Disciplinary Policy, the outcome of which may be disciplinary action up to and including dismissal for gross misconduct.
Contract	6	Client	Contact details: Name, company name, address, contact number(s), e-mail address	Identification of Client; Ability to contact Client; For the purpose of issuing Invoices for and Receipts of payment.
Contract	6	Passenger	Passenger name, status of adult / child	For the purpose of knowing passenger numbers and fulfilling the job booked by the Client.
Contract; Legal Obligation; Vital Interest	6, 9	Passenger	Passenger name, passport number, date of birth and / or age, sex, school name, medical or disability information provided voluntarily	To fulfil the legal obligation of the SOLAS Convention [Safety of Life at Sea] and EU Directive 98/41 for ferry passage as part of a coach journey.

Sharing your personal data

Your personal data will be treated as strictly confidential, and will be shared only with:

- Employee Data:
 - Local Authorities for the purpose of issuing Authorised PCV Driver ID badges;
 - HMRC for the purpose of Tax and National Insurance contributions;
 - Pensions service.
- Client Data:
 - Where provided, basic passenger list details to include name:
 - with the Employee responsible in the role as Driver for the job being undertaken.
 - Passenger list details to include name, passport number, sex, age / age group, *school name, medical or disability information provided voluntarily*:
 - with the Employee responsible in the role as Driver for the job being undertaken; and
 - with the Ferry operator for compliance of the SOLAS Convention [Safety of Life at Sea] and EU Directive 98/41.

How long do we keep your personal data?

We keep your personal data for no longer than reasonably necessary for periods as laid out in the Retention and Disposal Policy in order to comply with specific retention regulations or in case of any legal claims/complaints.

Rights under the General Data Protection Regulation: Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data:

1. The right to be informed

- a. Individuals have the right to be informed of Personal Data held on them and the reason(s) behind processing the specified data.

2. The right of access

- a. Individuals have the right to receive:
 - i. Confirmation that their data is being processed;
 - ii. Access to their personal data, and;
 - iii. Other supplementary information as detailed in the Privacy Notice.
- b. Access to a copy of the above information free of charge, however, a reasonable fee will be charged if a request is:
 - i. Manifestly unfounded or excessive, particularly if it is repetitive (although refusal to respond is acceptable under GDPR in these circumstances), or;
 - ii. Is for further copies of the same information previously provided – further copies will be supplied free of charge within reason.
- c. Subject Access Requests will be provided without delay but at least within one calendar month of receipt of the request. This period can be extended by a further two months for complex or numerous requests. Where the period has cause to be extended the individual will be informed and provided with an explanation.
- d. Requests made electronically will be responded to also using electronic format.

3. The right to rectification

- a. Individuals have the right to have personal data rectified if it is inaccurate or incomplete.
 - i. Requests for rectification will be responded to without delay but at least within one calendar month of receipt of the request. This period can be extended by a further two months for complex or numerous requests. Where the period has cause to be extended the individual will be informed and provided with an explanation.
- b. Regular reviews will be made of the information stored. To assist with this the company requests that Employees notify the company of all changes to personal data as collected and stored within a timely manner. Forms will be made available both electronically and as manual copies in order to accommodate Employees working away from the site for long periods.

4. The right to erasure

- a. Individuals have the right to be forgotten and can request the erasure of personal data when:
 - i. It is no longer necessary in relation to the purpose for which it was originally collected/processed;
 - ii. The individual withdraws consent;

- iii. The individual objects to the processing and there is no overriding legitimate interest for continuing the processing;
 - iv. It was unlawfully processed (i.e. otherwise in breach of the GDPR); or
 - v. It has to be erased in order to comply with a legal obligation.
- b. Refusal to comply with a request for erasure can be made when the personal data is processed for the following reasons:
- i. To exercise the right of freedom of expression and information;
 - ii. To comply with a legal obligation for the performance of a public interest task or exercise of official authority;
 - iii. For public health purposes in the public interest;
 - iv. Archiving purposes in the public interest, scientific research, historical research or statistical purposes; or
 - v. The exercise or defence of legal claims.

5. The right to restrict processing

- a. Individuals have a right to restrict or block the processing of data in the following circumstances:
- i. Where the accuracy of the personal data is contested – processing will be restricted until the accuracy of the personal data has been verified;
 - ii. Where the individual has raised objections to the processing [in events where it was necessary for the performance of a public interest task or purpose of legitimate interests] – processing will be restricted until the company has evaluated whether their legitimate grounds override those of the individual;
 - iii. Where processing is unlawful and the individual opposes erasure and requests restriction instead;
 - iv. If the company no longer requires the data but the individual requires the data to be retained to allow them to establish, exercise or defend a legal claim.
- b. When processing has been restricted, the company is permitted to store the personal data only, and not process it further;
- c. The company must inform the individual when a decision has been made to lift a restriction on processing.

6. The right to data portability

- a. Individuals have a right to obtain and reuse their personal data for their own purposes across different services;
- b. Requests can be made to receive personal data or move, copy or transfer that data from one business to another in a safe and secure way, without hindrance;
- c. The right to data portability only applies:
- i. To personal data an individual has provided to a controller;
 - ii. Where the processing is based on the individual's consent or for the performance of a contract, e.g.:
 - 1. Employees Data:
 - a. Contact details;
 - b. Bank details;
 - c. Emergency contact details;
 - d. That the individual provided or declined consent to opt-out of the 48 hour week;
 - e. Scanned passport details; and
 - iii. Where the processing is carried out by automated means.
- d. Requests for data portability will be responded to without delay but at least within one calendar month of receipt of the request. This period can be extended by a further two months for complex or numerous requests. Where the period has cause to be extended the individual will be informed and provided with an explanation;
- e. The personal data will be provided in a structured, commonly used and machine-readable format. Examples of appropriate formats include CSV and XML files;
- f. The information is to be provided free of charge;
- g. Upon request of the individual, the data may be transmitted directly to another business, providing this is technically feasible.

7. The right to object

- a. Individuals have the right to object to:
- i. Processing based on legitimate interests or the performance of a task in the public interest / exercise of official authority (including profiling); and

- ii. Processing for purposes of scientific / historical research and statistics.
- b. Individuals must have an objection on “grounds relating to his or her particular situation”;
- c. However for processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority or for purposes of scientific/historical research and statistics processing of personal data must cease unless:
 - i. The company can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of the individual; or
 - ii. The processing is for the establishment, exercise or defence of legal claims.

8. Rights in relation to automated decision making and profiling

- a. The company does not use automated decision making and profiling.

Transfer of Data Abroad and Automated Decision Making

Personal data is not transferred by the Company to countries or territories outside the EU on a regular basis; there may however be occasions where tour operators operating a tour outside of the EU require certain information for obtaining VISAs; where this applies relevant information which is already held by the Company will be provided and where additional data is required this will be requested at the time. Any additionally requested data for this purpose will not be stored or used in any other capacity.

The Company does not use automated decision making and profiling.

Use of CCTV

CCTV is in operation both at the business premises and on our vehicles. Images are monitored and recorded for the purposes of crime prevention and public safety. This scheme is controlled directly by Trafford’s Coaches and no third parties are involved. Any retained footage is stored securely and is only shared at the request of local authorities – e.g. the Police – or via a Subject Access Request and will be restricted in order to protect the rights of other individuals.

Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Protection Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

Contact Details

To exercise all relevant rights, or submit queries / complaints relating to the processing of your personal data please in the first instance contact Michelle Trafford-Bennett on info@traffordcoaches.co.uk or by post at Trafford Coaches Ltd., 8 Five Crosses Industrial Estate, Minera, Coedpoeth, Wrexham, LL11 3RD

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

NOTE: Where consent is requested for the processing of personal data, consent will be required to be provided for each request on an individual basis at point of collection. Provision of consent will be recorded and managed on an ongoing basis within the Employee Record. Employees have the right to withdraw consent at any time – requests are to be made in writing. The Employee will be notified in writing with confirmation that the requested details have been amended / removed and that the Employee Record has been updated to indicate withdrawal of consent.