

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 under the provision of Home to School Transport. We will use this information to provide a safe and appropriate transport service.

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: May 2018

Update History:

11/05/2018	First issue of a new Privacy Notice
13/04/2022	Minor amendment to contact details of the Data Protection Officer
15/11/2023	Minor amendments to cover change in our school transport database supplier. Clarification of legal basis for processing data

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:
<http://info.westberks.gov.uk/dpofficer>

THE PERSONAL DATA WE HOLD ABOUT YOU

We will process the following personal data about you:

- Parent / Carer details which may include name, address, date of birth, telephone number, email address.
- Bank details will be requested if we will be paying you a personal transport budget or mileage claim.
- Evidence of parent / carer income or benefits will be required to support a claim for transport on the grounds of low income.
- Pupil / student details, including name, address, date of birth, school or college attended.
- A photo of the pupil / student may be required for certain types of transport, for example a smartcard application or a train season ticket.

We may process the following special category data:

- Details of parent / carer disability and medical conditions may be required in some circumstances, to support a school transport appeal.
- Pupil / student medical and disability information will be requested, to ensure that safe and appropriate transport can be provided.

These details are collected and held on the Council's database and route planning software, (currently Routewise and 365 Response Transport Management System) and 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 enter when you apply for Home to School Transport for a pupil / student.

Where students have special educational needs (SEN), you will also be asked to complete the SEN medical form to provide details of their SEN and medical needs.

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
We will use your data to determine your eligibility for Home to School Transport, and to ensure that safe and appropriate transport is provided. We need your contact details to contact you with	Public Task: Article 6(1)(e) of the UK GDPR namely the processing is necessary for the performance of a

Why we use your information	Our legal basis for using your information
<p>queries and changes to transport, to send you invoices where appropriate, and to quickly get hold of you in emergencies such as vehicle breakdowns etc.</p> <p>Bank details will be used only and specifically for issuing BACs payments to parents/carers, where appropriate.</p> <p>Details of pupil / student special educational needs (SEN) including medical and disability information are required so that we can carry out risk assessments and make necessary adjustments on transport.</p> <p>Parent / carer disability / medical information may be required for the purpose of assessing school transport appeals.</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>	<p>task carried out in the public interest.</p> <p>Legal Obligation: Article 6(1)(c) of the UK GDPR namely the duty under the Education Act 1996 (section 508B) to ensure suitable travel arrangements are made, for eligible children, to facilitate attendance at school. Including the duty under Education and Inspections Act 2006.</p> <p>The legal basis for processing special category data is as follows:</p> <p>Article 9(2)(g) UK GDPR substantial public interest</p> <p>Schedule 1 para 6 and 16 of the DPA 2018 – Statutory and government purposes</p> <p>For those students who opt to pay for transport, the legal basis for processing your data is as follows:</p> <p>Performance of a contract: Article 6(1)(b) of the UK 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>

SHARING YOUR PERSONAL DATA

You will be able to update your data by contacting the Council.

Your data will be seen by employees of the Council relevant to the service or information request you have made.

We will share your personal data with transport providers such as bus, coach and taxi operators. They will only be provided with the data necessary to carry out safe and appropriate transport. This will include student names, gender, date of birth and school or college attended. Addresses will only be passed to operators if the transport is required to pick the student up from their home address. Relevant student medical / disability information will be passed to the transport operator to ensure that necessary adjustments are made on the vehicle.

With your consent, we will share parent / carer phone numbers and email addresses with your transport provider, so that they may contact you with any queries or changes relating to transport, or in case of emergency.

Personal data may be shared with the school or college, for contractual and safeguarding purposes.

(Please note: parent / carer bank details, medical information and benefit entitlements will not be shared with transport providers / schools / colleges).

Where a service or information request requires us to share your data with other parties, a separate privacy notice will describe who that is.

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.

RETAINING YOUR PERSONAL DATA

Your personal data will not be kept longer than necessary.

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.
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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-personal-information-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.
