

## **RAIL FORUM MIDLANDS PRIVACY NOTICE**

### **WHAT'S INCLUDED IN THIS PRIVACY NOTICE?**

RAIL FORUM MIDLANDS (RFM) IS A RAIL FOCUSED TRADE ORGANISATION SUPPORTING THE RAIL SUPPLY CHAIN THROUGH STRATEGIC INITIATIVES AND PRACTICAL SOLUTIONS; HELPING THEM TO KEEP PACE WITH THE OPPORTUNITIES IN UK RAIL AND BEYOND AND SUPPORTING THEM TO DEVELOP AND GROW THEIR BUSINESSES. YOU CAN FIND OUT MORE INFORMATION ABOUT US [HERE](#).

This document (our "privacy notice") sets out information about how we use personal information relating to individuals we have dealings with, including visitors to our website, members, partners and stakeholders. It also sets out information about what rights individuals have in relation to their personal information and various other matters required under data protection law.

In particular, this privacy notice provides information to individuals about how they can object to our use of their personal information (see **page 13**), and how they can withdraw any permissions they have given to us to enable us to process their personal information (see **page 15**).

### **WHO DOES THIS PRIVACY NOTICE APPLY TO?**

This privacy notice applies to:

- our members and any stakeholders;
- individuals who use our website;
- individuals who subscribe to our newsletters or updates;
- individuals who engage with us on social media;
- individuals who apply to us to become a member;
- individuals who participate in one of our surveys or questionnaires;
- individuals who attend our events

In the sections below, when referring to the individuals listed above, we use the terms "you" or "your".

## WHAT'S OUR APPROACH TO PRIVACY?

We take your privacy extremely seriously and want you to feel confident that your personal information is safe in our hands.

We will only use your personal information in accordance with data protection law applicable to England and Wales from time to time.

Under data protection law, when we use your personal information, we will be acting as a data controller. Essentially, this means that we will be making decisions about how we want to use your personal information and why.

Below, we summarise the main rules that apply to us under data protection law when we use your personal information:

	We must be upfront about how we intend to use your personal information and must use your personal information fairly. Providing privacy information to individuals (such as in this privacy notice) is one aspect of using personal information fairly.
	<p>We must only use your personal information if we have a legal basis to do so under data protection law. These legal bases include:</p> <ul style="list-style-type: none"><li>• That you have consented to our use of your personal information;</li><li>• That we (or someone else) has a legitimate reason for needing to use your personal information and those legitimate interests are not outweighed by your rights or interests. We must balance our respective rights and interests before we can rely upon this legal basis; and</li><li>• We need to use your personal information to comply with laws we are subject to.</li></ul>
	We are only permitted to share your personal information with others in certain circumstances and if we take steps to ensure that your personal information will be secure.
	Generally speaking, we must only use your personal information for the specific purposes we have told you about. If we want to use your personal information for other purposes, we need to contact you again to tell you about this.
	We must not hold more personal information than we need for the purposes we have told you about and must not retain your personal information for longer than is necessary for those purposes (this is known as the "retention period"). We must also dispose of any information that we no longer need securely.
	We must ensure that we have appropriate security measures in place to protect your personal information.

	We must act in accordance with your rights under data protection law.
	We must not transfer your personal information outside the European Economic Area ("EEA") unless certain safeguards are in place. One such safeguard is that the personal data is only transferred to a country that has been approved by the European Commission as having an acceptable level of data protection law.

## HOW WILL WE USE YOUR PERSONAL INFORMATION?

How we will use your personal information, the legal bases we will rely upon, how long we will keep your personal information and other details will depend upon who you are and why we need your personal information in the first place.

In this section, we provide specific privacy information relating to the different categories of individuals that this privacy notice applies to.

### OUR MEMBERS/SSTAKEHOLDERS/PARTNERS

<b>What personal information we will use</b>	<ul style="list-style-type: none"><li>• Your name;</li><li>• Your address;</li><li>• Your email address;</li><li>• Your telephone number;</li><li>• Your job title</li></ul>
<b>How we will obtain the personal information</b>	<ul style="list-style-type: none"><li>• Provided by you when joining as a member, booking onto an event or through direct contact at meetings or events</li></ul>
<b>What purposes we will use the personal information for</b>	<ul style="list-style-type: none"><li>• We will use your name, address and other contact details to provide you with information about events, information we feel is relevant to your membership or the rail industry</li></ul>
<b>The legal bases for processing we rely upon</b>	<ul style="list-style-type: none"><li>• Our use of your personal information for our internal administrative purposes is based on our legitimate interests in ensuring that our business is run properly and efficiently;</li><li>• Our use of your personal information for legal or regulatory purposes is necessary to enable us to comply with our legal and regulatory obligations and/or to enable us to bring, defend or deal with legal claims.</li></ul>
<b>How long we retain the personal information and why</b>	<ul style="list-style-type: none"><li>• We usually keep records relating to your membership for 5 years to maintain our industry information.</li></ul>

<b>Consequences of not providing/permitting us to obtain personal information</b>	<ul style="list-style-type: none"> <li>Without your name and contact details we will be unable to supply services to you.</li> </ul>
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#### **INDIVIDUALS WHO CONTACT US WITH ENQUIRIES**

<b>What personal information we will use</b>	<ul style="list-style-type: none"> <li>Your name;</li> <li>Your contact details (such as your telephone number or email address);</li> <li>Details of your enquiry.</li> </ul>
<b>How we will obtain the personal information</b>	<ul style="list-style-type: none"> <li>Provided by you when you contact us (e.g. by making a phone call or emailing us).</li> </ul>
<b>What purposes we will use the personal information for</b>	<ul style="list-style-type: none"> <li>We will use the personal information to deal with your enquiry;</li> <li>We will also make a record of your enquiry for internal administrative purposes.</li> </ul>
<b>The legal bases we rely upon</b>	<ul style="list-style-type: none"> <li>Our use of your personal information to deal with your enquiry is based on your implied consent and our legitimate interests in ensuring our business is run efficiently and effectively;</li> <li>Our use of your personal information for record keeping purposes is based on our legitimate interests in ensuring our business is run efficiently and effectively.</li> </ul>
<b>How long we retain the personal information and why</b>	<ul style="list-style-type: none"> <li>Records of emails are retained for 12 months because of the nature of certain enquiries which can take some time to respond to. E.g. involvement with industry events which could be several months into the future</li> </ul>

	<ul style="list-style-type: none"> <li>Records of telephone calls may be retained for 12 months because of the nature of certain enquiries which can take some time to respond to. E.g. involvement with industry events which could be several months into the future</li> </ul>
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#### **INDIVIDUALS WHO USE OUR WEBSITE**

<b>What personal information we will use</b>	<ul style="list-style-type: none"> <li>Technical information, including the internet protocol address used to connect your computer to the internet;</li> <li>Information about your visit, including [the full Uniform Resource Locators ("URL"),] [clickstream to, through and from our website (including date and time),] [page response times,] [length of visit to certain pages,] [page interaction information (such as scrolling clicks and mouse-overs)] and [methods used to browse away from the page].</li> </ul>
<b>How we will obtain the personal information</b>	<ul style="list-style-type: none"> <li>Some of the information is obtained by us automatically whenever you use our website.</li> <li>Some of the information is collected by us each time you use our website through our use of cookies. Further information about the cookies we use and the purposes for which we use them can be found in our Cookies Policy at the end of this document.</li> </ul>

<b>What purposes we will use the personal information for</b>	<ul style="list-style-type: none"> <li>• The above information is used by us to:</li> <li>• track usage of our website;</li> <li>• help us to continually improve our website</li> <li>• Information collected through our use of cookies is used in the ways described in our Cookies Policy at the end of this document.</li> </ul>
<b>The legal grounds we rely upon</b>	<ul style="list-style-type: none"> <li>• Our collection and use of the above information is based on our legitimate interests in ensuring that our website is user-friendly and appeals to our members, partners and stakeholders.</li> </ul>
<b>How long we retain the personal information and why</b>	<ul style="list-style-type: none"> <li>• We do not collect any personal information relating to the use of the website</li> </ul>
<b>Consequences of not providing/permitting us to obtain personal information</b>	<ul style="list-style-type: none"> <li>• If you disable our Cookies, you will be unable to use certain parts of/functions on our website. Further information about this can be found in our Cookies Policy at the end of this document.</li> </ul>

### **INDIVIDUALS WHO SUBSCRIBE TO OUR NEWSLETTERS OR UPDATES**

#### **WHEN WILL WE USE YOUR PERSONAL INFORMATION FOR DIRECT MARKETING?**

In addition to data protection law, if we use your personal information for direct marketing purposes, we may also be subject to additional rules that regulate direct marketing. The term “direct marketing” essentially means directing marketing material or advertising aimed at a particular individual.

To ensure compliance with both data protection laws and the specific rules relating to direct marketing, we will only use your personal information to tell you about our latest offers or to inform you of products and services which we think may be of interest to you in the circumstances outlined below:

<p><b>Direct marketing by email, text or other forms of electronic communication</b></p>	<ul style="list-style-type: none"> <li>• We will only contact you in this way if: <ul style="list-style-type: none"> <li>○ you have given us your express consent to do so; or</li> <li>○ you are an existing member, partner or stakeholder and we want to tell you about similar products or services that may be of interest to you and you have not opted out of receiving such communications.</li> </ul> </li> </ul>
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Our legal bases for such processing under data protection law will either be your consent or reliance upon our legitimate interests in developing our business.

We will retain your personal information unless and until you inform us that you no longer wish to receive direct marketing information from us. You can ask us to stop sending direct marketing to you at any time by contacting us using the details set out here:

Email [elaineclark@midlandsrail.co.uk](mailto:elaineclark@midlandsrail.co.uk)

Or by writing to:

Rail Forum Midlands, Lonsdale House, Quaker Way, Derby DE1 3HD



## WHEN WILL WE SHARE YOUR PERSONAL INFORMATION WITH OTHERS?

Sometimes, we will need to share your personal information with others. This section sets out details of who we will share your personal information with and why. It also tells you about our legal basis for doing so under data protection law and steps we will take to protect your personal information.

We will never sell your personal information on to third parties.

### OUR SERVICE PARTNERS

<p><b>Who are our service partners?</b></p> <p><b>Is this relevant???</b></p>	<ul style="list-style-type: none"><li>• Our service partners include:<ul style="list-style-type: none"><li>◦ <i>Website hosting</i></li><li>◦ <i>Online credit/debit card payments.</i></li></ul></li><li>• We haven't included the names of our service partners in this privacy notice because their identity will change from time to time. However, if you would like further information about any of our current service providers, please contact us using the details set out <b>below</b><ul style="list-style-type: none"><li>◦ <b><u><a href="mailto:elaineclark@midlandsrail.co.uk">elaineclark@midlandsrail.co.uk</a></u></b></li><li>◦ <b>or by writing to</b></li><li>◦ <b>Rail Forum Midlands, Lonsdale House, Quaker Way, Derby DE1 3HD</b></li></ul></li></ul>
<p><b>Why we need to share your personal information with them</b></p>	<ul style="list-style-type: none"><li>• We use the service partners described above to enable us to provide our services to you.</li></ul>
<p><b>The legal bases we rely upon when sharing your personal information</b></p>	<ul style="list-style-type: none"><li>• The sharing of your personal data with suppliers and sub-contractors is necessary to provide our services to you.</li></ul>
<p><b>What precautions do we take?</b></p>	<ul style="list-style-type: none"><li>• We enter into contracts with our service providers which require them to put appropriate security measures in place and which restrict their use of your personal information.</li></ul>

### OTHER THIRD PARTIES

We may also need to share your personal information with others in the following circumstances:

<b>If we sell, transfer or merge parts of our business or our assets</b>	<p>As we continue to develop our business we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. During any such process, we may need to disclose your personal information to other parties (such as potential purchasers or investors). Where we do so, we will be relying upon our legitimate business interests.</p> <p>However, we will only share your personal information in this way if the third parties in question agree to keep your personal information safe and private.</p> <p>Also, if, for example, a merger happens, the purchaser will only be able to use your personal information in the ways set out in this privacy notice.</p>
<b>Legal or regulatory requirements</b>	<p>On occasion, we may be required to disclose your personal information to organisations such as the courts or the police to comply with legal obligations we are subject to and/or to prevent fraud or crime.</p>
<b>Professional advice and legal action</b>	<p>We may need to disclose your personal information to our professional advisers (for example, our lawyers and accountants) in connection with the provision by them of professional advice and/or the establishment or defence of legal claims.</p>

## HOW DO WE KEEP YOUR PERSONAL INFORMATION SECURE?

We take various steps to protect your personal information while it is in our possession, including:

- Implementation of appropriate security measures to protect our IT infrastructure;
- Implementation of internal data security policies and training for members of staff in relation to such policies.

You can help us to protect your personal information by adhering to the following security measures:

- Do not confirm your bank or credit card details in an email. We will not ask for such personal information in this way, so any email claiming to be from us that does so is likely to be fake. Please ignore it.

## WHAT RIGHTS DO YOU HAVE UNDER DATA PROTECTION LAW?

Under data protection law, you have a number of different rights relating to the use of your personal information. The table below contains a summary of those rights and our obligations. More information about your rights and our obligations can be found on the ICO website <https://ico.org.uk/>.

Your rights	What this involves	What our obligations are
<b>A right of access</b>	This is a right to obtain access to your personal data and various supplementary information.	<ul style="list-style-type: none"><li>• We must provide you with a copy of your personal information and the other supplementary information without undue delay and in any event within 1 month of receipt of your request;</li><li>• We cannot charge you for doing so save in specific circumstances (such as where you request further copies of your personal information).</li></ul>

<p><b>A right to have personal data rectified</b></p>	<ul style="list-style-type: none"> <li>• This is a right to have your personal information rectified if it is inaccurate or incomplete.</li> </ul>	<ul style="list-style-type: none"> <li>• We must rectify any inaccurate or incomplete information without undue delay and in any event within 1 month of receipt of your request;</li> <li>• If we have disclosed your personal information to others, we must (subject to certain exceptions) contact the recipients to inform them, that your personal information requires rectification.</li> </ul>
<p><b>A right to erasure</b></p>	<ul style="list-style-type: none"> <li>• This is a right to have your personal information deleted or removed.</li> <li>• This right only applies in certain circumstances (such as where we no longer need the personal information for the purposes for which it was collected).</li> <li>• We have the right to refuse to delete or remove your personal data in certain circumstances.</li> </ul>	<ul style="list-style-type: none"> <li>• If this right applies, we must delete or remove your personal information without undue delay and in any event within 1 month of receipt of your request;</li> <li>• If we have disclosed your personal information to others, we must (subject to certain exceptions) contact then recipients to inform them that your personal information must be erased.</li> </ul>

<b>A right to data portability</b>	<ul style="list-style-type: none"> <li>• This is a right to obtain and re-use your personal information for your own purposes;</li> <li>• It includes a right to ask that your personal information is transferred to another organisation (where technically feasible).</li> <li>• This right only applies in certain limited circumstances.</li> </ul>	<ul style="list-style-type: none"> <li>• If this right applies we must provide your personal information to you in a structured, commonly used and machine reasonable form</li> <li>• Again, we must act without undue delay and in any event within 1 month of receipt of your request;</li> <li>• We cannot charge you for this service.</li> </ul>
<b>A right to object</b>	<ul style="list-style-type: none"> <li>• This is a right to object to the use of your personal information.</li> <li>• The right applies in certain specific circumstances only.</li> <li>• You can use this right to challenge our use of your personal information based on our legitimate interests;</li> <li>• You can also use this right to object to use of your personal information for direct marketing</li> </ul>	<ul style="list-style-type: none"> <li>• If you object to us using your personal information for direct marketing, we must stop using your personal information in this way as soon as we receive your request.</li> <li>• If you object to other uses of your personal information, whether we have to stop using your personal information will depend on the particular circumstances.</li> </ul>

<p><b>A right to object to automated decision making</b></p>	<ul style="list-style-type: none"> <li>• This is a right not to be subject to a decision which is made solely on the basis of automated processing of your personal information where the decision in question will have a legal impact on you or a similarly significant effect.</li> </ul>	<ul style="list-style-type: none"> <li>• Where such a decision is made, you must be informed of that fact as soon as reasonably practicable;</li> <li>• You then have 21 days from receipt of the notification to request that the decision is reconsidered or that a decision is made that is not based solely on automated processing;</li> <li>• Your request must be complied with within 21 days.</li> </ul>
<p><b>A right to restrict processing</b></p>	<ul style="list-style-type: none"> <li>• This is a right to 'block' or suppress processing of your personal information.</li> <li>• This right applies in various circumstances, including where you contest the accuracy of your information).</li> </ul>	<ul style="list-style-type: none"> <li>• If we are required to restrict our processing of your personal information we will be able to store it but not otherwise use it.</li> <li>• We may only retain enough information about you to ensure that the restriction is respected in future.</li> <li>• If we have disclosed your personal information to others, we must (subject to certain exceptions) contact them to tell them about the restriction on use.</li> </ul>

If you wish to exercise any of your rights, you can make a request by contacting us using the details set out below

Email to [elaineclark@midlandsrail.co.uk](mailto:elaineclark@midlandsrail.co.uk)

or by writing to Rail Forum Midlands, Lonsdale House, Quaker Way, Derby DE1 3HD

If you request the exercise of any of your rights we are entitled to ask you to provide us with any information that may be necessary to confirm your identity.

### **RIGHT TO WITHDRAW CONSENT**

If you have given us your consent to use any of your personal information, you can withdraw your consent at any time. To do so, please contact us using the details set out above.

## HOW CAN YOU GET IN TOUCH WITH US AND WHO IS OUR DATA PRIVACY MANAGER?

You can get in touch with us in the following ways:

<b>Postal address</b>	Elaine Clark Rail Forum Midlands Lonsdale House Quaker Way Derby DE1 3HD
<b>Email address</b>	elaineclark@midlandsrail.co.uk
<b>Phone number</b>	01332 593550

If you have any questions about this privacy notice, how we handle your personal information or if you wish to make a complaint, please contact our Data Privacy Manager.

### RIGHT TO COMPLAIN TO THE INFORMATION COMMISSIONER'S OFFICER

If we are unable to deal with a complaint to your satisfaction or if you are unhappy with the way we are using your personal data, you also have the right to make a complaint at any time to the UK's supervisory authority for data protection issues, the Information Commissioner's Office.

### CHANGES TO OUR PRIVACY NOTICE

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



## COOKIE POLICY

### Information About Our Use of Cookies

#### Here's what we think you need to know:

- We use cookies to make our website easier for you to use
- We use cookies to help stop our online-forms from being used to send spam-email
- We use cookies to monitor usage so we can spot trends and make improvements
- We DO NOT use cookies to identify individuals (and never will)
- We DO NOT store personal information in cookies
- We believe that our use of cookies is very necessary for the smooth functioning of the website.

We do not believe that they pose any threat to your personal privacy or online security.

#### Can you withdraw your consent to cookies (i.e. opt out)?

You will have seen a statement when you first visit our site that says by using this site you agree to our use of cookies according to our policy. Accordingly, we will take it that you consent to our using cookies if you continue to use our site.

We do not provide any specific functionality on our website to stop cookies, but if you do not consent to our using cookies, then you should either (a) set your browser to block cookies (your browser will have settings to enable this); or (b) cease using our website.

If you decide to disable cookies through your browser, you should find that most of the website works as expected, but functions that rely on cookies are obviously disabled. These functions may include using online forms (e.g. our enquiry form) or any feature that requires login.

#### What law do we comply with?

We comply with the Privacy and Electronic Communications (EC Directive) Regulation 2003, as amended by The Privacy and Electronic Communications (EC Directive) (Amendment) Regulations 2011. These implement European Directives 2002/58/EC and 2009/136/EC. These laws are regulated in the UK by the Information Commissioner's Office (ICO): [www.ico.org.uk](http://www.ico.org.uk).

#### What are cookies?

A cookie is used by a website to send 'state information' to a Users' browser and for the browser to return the state information to the website. The state information can be used for authentication, identification of a User session, User preferences, shopping cart contents, or anything else that can be accomplished through storing text data on the User's computer.

Cookies cannot be programmed, cannot carry viruses, and cannot install malware on the host computer. However, they can be used to track users' browsing activities which was a major privacy concern that prompted European and US law makers to take action.

Cookies are used by most websites for a variety of reasons - often very practical reasons to do with the operation of the website. However, they are also used to monitor how people are using the website (which pages are visited and how long is spent on each page). Each "visitor session" is tracked even though no effort is made to try to identify them in person.

More information can be found at: [www.allaboutcookies.org](http://www.allaboutcookies.org)

#### Use of Cookies on Our Website

##### Google Analytics

We use Google Analytics to monitor usage of our website. Google Analytics collects information anonymously. It reports website trends without identifying individual visitors (not by name or IP address).

Name	Description	Expiration
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__utma	This cookie is typically written to the browser upon the first visit to your site from that web browser. If the cookie has been deleted by the browser operator, and the browser subsequently visits your site, a new __utma cookie is written with a different unique ID. This cookie is used to determine unique visitors to your site and it is updated with each page view. Additionally, this cookie is provided with a unique ID that Google Analytics uses to ensure both the validity and accessibility of the cookie as an extra security measure.	2 years from set/update
__utmb	This cookie is used to establish and continue a user session with your site. When a user views a page on your site, the Google Analytics code attempts to update this cookie. If it does not find the cookie, a new one is written and a new session is established. Each time a user visits a different page on your site, this cookie is updated to expire in 30 minutes, thus continuing a single session for as long as user activity continues within 30-minute intervals. This cookie expires when a user pauses on a page on your site for longer than 30 minutes. You can modify the default length of a user session with the <code>_setSessionCookieTimeout()</code> method.	30 minutes from set/update
__utmc	This cookie is no longer used by the ga.js tracking code to determine session status. Historically, this cookie operated in conjunction with the __utmb cookie to determine whether or not to establish a new session for the user. For backwards compatibility purposes with sites still using the urchin.js tracking code, this cookie will continue to be written and will expire when the user exits the browser. However, if you are debugging your site tracking and you use the ga.js tracking code, you should not interpret the existence of this cookie in relation to a new or expired session.	Not set
__utmz	This cookie stores the type of referral used by the visitor to reach your site, whether via a direct method, a referring link, a website search, or a campaign such as an ad or an email link. It is used to calculate search engine traffic, ad campaigns and page navigation within your own site. The cookie is updated with each page view to your site.	6 months from set/update

### Functionality

"Functionality" cookies are used to provide services or to remember settings to improve your visit.

ENDS