



Mersey Gateway Crossings Board Privacy Policy

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1.0 Introduction

The Mersey Gateway Crossings Board Ltd (MGCB) is a special purpose vehicle established by Halton Borough Council (HBC) with the delegated authority to deliver the Mersey Gateway Bridge Project and to administer and oversee the construction and maintenance of the new tolled crossings including the tolling of the existing Silver Jubilee Bridge.

The MGCB's terms of reference and delegated authority are expressed in a Governance Agreement with HBC. The MGCB operates as a commercial (though not for profit) organisation on an arm's length basis.

The MGCB works closely with:

- The Merseylink Consortium* (the organisation tasked to design, build, finance the Project operated by Merseylink Limited, the Special Purpose Vehicle created to provide, maintain and operate the project assets over a 30-year concession);
- Emovis Mersey Operations Limited (under the brand Merseyflow who administer and enforce the toll charges along with being the first point of call for customer service relating to the tolling operation of the bridge) and;
- HBC on a day to day basis to ensure that all aspects of the contracts in relation to the Project are adhered to ranging from PR and Communications, environment, traffic management to local employment and skills.

For the purposes of Data Protection Law, HBC is the Data Controller and MGCB is the Data Processor.

2.0 Privacy Policy

This policy sets out the basis in which any personal data the MGCB as Data Processor collect from you or that you provide to us, will be processed by us or our subsidiaries and how long your data will be retained.

'Personal Data' refers to information which identifies, or is capable of identifying you as an individual.

Please read the following carefully to understand the views and practices of the MGCB regarding your personal data and how we treat your information.

By emailing us or providing us with any of your personal data you agree that you have read and understood the practices described in this Policy.

2.1 Information we collect from you

We collect and process the following data about you:

- **Information you give us**

This is the information that you give us by contacting the MGCB directly by corresponding with us, by phone, by e-mail (enquiries@merseygateway.co.uk), in person or otherwise.

This information you give us may include your name, address, e-mail address and other personal data such as family, lifestyle and social circumstances, financial details or detail of business activities.

If you make an application for the Halton Local User Discount Support Scheme you will be asked to provide some details including but not limited to your name, address, annual income and economic circumstances and education status as evidence of your eligibility for the Scheme.

- **Information we receive from other sources**

This is information which is shared with us by Merseylink, Merseyflow, HBC or any other organisation or agency acting on behalf of the above companies.

This can be through:

- The forwarding of enquiries/comments relating to the Project.
- Complaint escalation.
- As part of the Mersey Gateway Project monthly reporting process.

2.2 Using your information

The following is an overview of our purposes for using your personal data. All processing i.e. use of your personal data is justified by a 'condition' for processing (GDPR Article 6(1) (b))**. In addition, processing of sensitive personal data is always justified by a secondary condition.

In the majority of cases, processing will be justified on the basis that:

- You have consented to the processing (e.g. you have contacted the MGCB directly or have consented for your information to be shared with us)***.
- The processing is necessary to perform a contract (e.g. in application for the Halton Local User Discount Support Scheme).
- The processing is necessary for us to comply with a relevant legal obligation (e.g. to disclose personal data requested by a regulator or law enforcement body).

We use information held about you in the following ways:

2.3 Information you give to us

We will use this information to:

- Provide you with a response to any question, enquiry or comment in reference to the Mersey Gateway Project.
- Process applications for the Halton Local User Discount Support Scheme, assess your eligibility for the scheme and maintain a record of Scheme participants.
- Prevent and detect fraud.
- Keep internal records.
- Improve our services.
- Send promotional emails about new products, special offers or other information which we think you may find interesting using the email address which you have provided (this is not routine however, may occur from time-to-time).
- Contact you for market research purposes or to customise our website according to your interests. We may contact you by email, phone or mail. Again, this is not routine however, may occur from time-to-time.

2.4 Information we receive from other sources

We will use this information to:

- Make a determination of a complaint which has reached the end of the dedicated Merseylink or Merseyflow Complaints Procedure.
- Provide you with a response to any question, enquiry or comment in reference to the Mersey Gateway Project shared with us from another organisation.
- Provide information relating to the Mersey Gateway Project under the Freedom of Information Act.
- Process applications for the Halton Local User Discount Support Scheme, assess your eligibility for the scheme and maintain a record of Scheme participants.
- Formulate and analyse reports and other general business intelligence about the operation of the Mersey Gateway Project and later, the Silver Jubilee Bridge.

2.5 Length of time we hold on to your information

To make sure we meet our obligations under Data Protection Law, we only keep your data for as long as necessary in order to satisfy the purposes listed above under “Using your information”.

However, in some circumstances we may retain personal data for longer periods of time, for instance where we are required to do so in accordance with legal, tax and accounting requirements, or in order to maintain an accurate record of your dealings with us in the event of complaint or challenge.

When we no longer need to use your information, we will delete it so that it cannot be linked back to you.

2.6 Sharing your information

You agree that we have right to share your personal data with:

- Emovis Mersey Operations Limited (under the Merseyflow brand).
- Halton Borough Council.
- Any group company (including its subsidiaries, the ultimate holding company and subsidiaries of that holding company as defined in section 1159 of the Companies Act 2006) of a company/corporation in the Merseylink Consortium.
- Selected marketing agencies acting on behalf of a member of the Mersey Consortium or emovis Mersey Operations Limited that require data to (1) respond to the information provided by you and (2) provide you the relevant e-newsletters or e-mail updates where we have obtained your prior consent.

We will disclose your personal data to third parties:

- In the event that HBC, any organisation of the Merseylink Consortium or emovis Mersey Operations Limited is sold or integrated with another entity, your personal details may be disclosed to any prospective buyer of the business, or to the necessary personnel of the integrating entity including their advisers;
- In the event that HBC or any member of the Merseylink Consortium or emovis Mersey Operations Limited sells any assets in connection with the Project, your personal details may be disclosed to any prospective buyer of the assets including their advisers and;

- If we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or to protect the rights, property or safety of HBC, our customers or others. This included exchanging information with other companies and organisations for the purposes for fraud protection and credit risk reduction.

2.7 Where we store your personal data

All information you provide to us is stored on secure servers. Unfortunately the transmission of information via the internet is not completely secure. Although we do our best to protect your personal data, we cannot guarantee the security of your data transmitted. Any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

We do not routinely transfer your personal data outside of the European Economic Area (EEA), including the UK, but members of the Merseylink Consortium may have affiliates outside of the EEA, or use IT infrastructure which is located outside of the EEA, to which your personal data may need to be transferred in the course of their standard business operations.

Where personal data is transferred outside of the EEA, we will ensure that steps are taken to guarantee that the information received the same level of protection, including the entering into data transfer agreements, or by relying on certification schemes such as the EU-US Privacy Shield.

2.8 Your rights

You have the right to ask us not to process your personal data. You can exercise your right to prevent such processing by checking certain boxes forms we may from time-to-time use to collect your data, or you can also at any time contact us at enquiries@merseygateway.co.uk to exercise your rights.

Our correspondence may, from time-to time, contain links to and from the websites of our partner networks or affiliates. If you follow a link to any of these websites, please note that these will have their own Privacy Policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal data to these websites.

In addition, you may have some or all of the following rights in respect of your personal data:

- To obtain a copy of your personal data together with information about how and on what basis that personal data is processed.
- To rectify inaccurate personal data.
- To erase your personal data.
- To restrict processing of your personal data where
 - The accuracy of the personal data is contested;
 - The processing is unlawful but you object to the erasure of the personal data;
 - We no longer require the personal data but it is still required for the establishment, exercise or defence of a legal claim.
- To withdraw your consent to our processing of your personal data (where that processing is based on your consent).
- To obtain, or see a copy of the appropriate safeguards under which your personal data is transferred to a third country or international organisation.

In addition to the above, you have the right to lodge a complaint with the supervisory authority, the Information Commissioner (ICO).

If you would like to understand your Data Protection rights in full, please go to the ICO website www.ico.org.uk.

2.9 Changes to our Privacy Policy

Any changes we make to our Privacy policy in the future will be posted on (link) and where appropriate, notified to you by e-mail.

2.10 Contact us

Questions, comments and requests relating to this Privacy Policy are welcomed and should be addressed FAO the Data Protection Champion at enquiries@merseygateway.co.uk.

3.0 Notes

* Merseylink Consortium consists of:

- FCC Construcción S.A
- Samsung C&T ECUK Limited and
- Kier Infrastructure and Overseas Limited

** (GDPR Article 6(1)(b)) <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/contract/>

**The Privacy Policies for other organisations of the Mersey Gateway Project can be found at:

- Merseylink <http://www.merseygateway.co.uk/privacy/>
- Merseyflow <https://www.merseyflow.co.uk/privacy>
- HBC <https://www3.halton.gov.uk/pages/terms.aspx>