



General Data Protection Regulation (GDPR) Article 13 of Regulation EU 2016/679

1. Purpose of this notice

This Privacy Notice provides mandatory information as required under Articles 13 and 14 of the European General Data Protection Regulation (GDPR) regarding the transparency of personal data processing of European Economic Area (EEA) citizens. Definitions of certain terms within this notice are explained in the appendix.

In the UK the 2018 General Data Protection Act (DPA2018) applies to the processing of personal data. The DPA2018 Part 2 recognises and aligns to the EU GDPR; in this document the requirements of the GDPR will therefore be deemed to include the processing of data in the EU, EEA, and the UK unless otherwise specified.

2. The Data Controller for personal data

The Data Controller for the personal data processed by us is the employer of the natural person whose data is collected (hereafter referred to as the Data Subject). The Data Controller may pass personal data of their employees to an external agency (the Data Processor) for the fulfilment of travel requirements, and that agency may then use Tripstax (as a Sub-Processor) for further processing and hosting of data profiles for individuals.

In connection with the business service that Tripstax carries out for its clients Tripstax, acting on the instructions of its client under a written contract with them, will subsequently process that personal data to conduct the contracted service. It is this Legitimate Business Interest which forms the 'Legal Basis' for the processing of personal data carried out by Tripstax in these circumstances.

Tripstax will be a Data Controller only if it collects personal data directly from a Data Subject in relation to a separate contract with them. Tripstax also acts as a Data Controller for any personal data held regarding its own employees, processing data under its Contract of Employment with those Data Subjects. In both cases Tripstax processes personal data under Article 6.1(b) of the GDPR (performance of a contract) and Section 8 of the DPA2018.

3. Data Subject Rights

Data Subjects have rights under the GDPR. These rights can be seen below. Tripstax will always fully respect these rights regarding the processing of personal data. It is expected that in most cases the Data Subject will discuss their rights under the GDPR with the Data Controller, however Tripstax has provided below the details of the person to contact if any concerns or questions arise regarding how we process personal data, or if the Data Subject wishes to exercise any rights they may have under the GDPR.

4. Contact Details

The identity and contact detail for the Data Protection Officer within Tripstax is:

Nikki Matthews, Legal Counsel
Tripstax Technologies Ltd
3rd Floor 1 Ashley Road, Altrincham, Cheshire
United Kingdom WA14 2DT

5. Data Protection Principles

Tripstax has adopted the following principles to govern its collection and processing of Personal Data:

- Personal Data shall be processed lawfully, fairly, and in a transparent manner.

- The Personal Data collected will only be specifically required to fulfil travel-related processing. Such data may be collected directly from the Data Subject or provided to Tripstax via his / her employer or a third-party company. Such data will only be processed for that purpose.
- Personal Data shall only be retained for as long as it is required to fulfil contractual requirements, or to provide statistics to our Client Company.
- Personal Data shall be adequate, relevant, and limited to what is necessary in relation to the purposes for which it is collected and/or processed. Personal Data shall be accurate and, where necessary, kept up to date.
- The Data Subject has the right to request from Tripstax access to and rectification or erasure of their personal data, to object to or request restriction of processing concerning the data, or to the right to data portability. In each case such a request must be put in writing as in Section 3 above.
- The Data Subject has the right to make a complaint directly to a supervisory authority within their own country. Tripstax's Data Protection compliance is supervised by the:

Information Commissioner's Office
 Wycliffe House, Water Lane, Wilmslow
 Cheshire, England SK9 5AF

- Personal Data shall only be processed based on the legal basis explained in section 2 above, except where such interests are overridden by the fundamental rights and freedoms of the Data Subject which will always take precedent. If the Data Subject has provided specific additional Consent to the processing, then such consent may be withdrawn at any time.
- Tripstax will not use personal data for any monitoring or profiling activity or process and will not adopt any automated decision-making processes.

6. Transfers to Third Parties

Personal Data shall only be transferred to, or processed by, third party companies where such companies are necessary for the fulfilment of the contracted service.

Personal Data shall not be transferred to a country or territory outside the European Economic Area (EEA) unless the transfer is made to a country or territory recognised by the EU as having an adequate level of Data Security or is made with the consent of the Data Subject or is made to satisfy the Legitimate Interest of Tripstax in regard to its contractual arrangements with its clients.

Appendix - Definitions of certain terms referred to above:

Personal Data:

(Article 4 of the GDPR): 'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Processing:

(Article 4 of the GDPR): means any operation or set of operations which is performed upon personal data or sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, erasure or destruction.

Legal Basis for Processing:

(Article 6 of the GDPR): At least one of these must apply whenever personal data is processed:

1. the data subject has given consent to the processing of his or her personal data for one or more specific purposes.
2. 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.
3. processing is necessary for compliance with a legal obligation to which the controller is subject.
4. processing is necessary in order to protect the vital interests of the data subject or of another natural person.
5. processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
6. processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

Data Controller:

(Article 4 of the GDPR): this means the person or company that determines the purposes and the means of processing personal data.

Data Processor:

(Article 4 of the GDPR): means a natural or legal person, public authority, agency or any other body which processes personal data on behalf of the controller.

Data Subject Rights:

(Chapter 3 of the GDPR) each Data Subject has rights. These are:

1. The right to be informed; This means anyone processing your personal data must make clear what they are processing, why, and who else the data may be passed to.
2. The right of access; this is your right to see what data is held about you by a Data Controller.
3. The right to rectification; the right to have your data corrected or amended if what is held is incorrect in some way.
4. The right to erasure; under certain circumstances you can ask for your personal data to be deleted. This is also called 'the Right to be Forgotten'. This would apply if the personal data is no longer required for the purposes it was collected for, or your consent for the processing of that data has been withdrawn, or the personal data has been unlawfully processed.

5. The right to restrict processing; this gives the Data Subject the right to ask for a temporary halt to the processing of personal data, such as in the case where a dispute or legal case has to be concluded, or the data is being corrected.
6. The right to data portability; a Data Subject has the right to ask for any data supplied directly to the Data Controller by him or her, to be provided in a structured, commonly used, and machine-readable format.
7. The right to object; the Data Subject has the right to object to further processing of their data which is inconsistent with the primary purpose for which it was collected, including profiling, automation, and direct marketing.
8. Rights in relation to automated decision making and profiling; Data Subjects have the right not to be subject to a decision based solely on automated processing.