

Personal Data Processing of the Study of Competitive Tendering Phases and Experiences in Sweden and Norway

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<p>Grounds for and purpose of the data processing</p> <p>The object of the procurement is the study on competitive tendering phases and experiences in Sweden and Norway. The aim of the study is to clarify and analyze recent years tendering and contract arrangements for passenger rail services in Sweden and Norway. One of the methods used in this study is to interview experts in Sweden and Norway. The aim is to find the best experience-based practices and solutions for competitive tendering of passenger rail services in Finland. The study helps the Traficom to develop their expertise in tendering for passenger rail services. Study provides the starting points for further planning and implementation of tendering and contract arrangements.</p> <p>Expert interviews are conducted both face-to-face and online. Remote and hybrid interviews take place using the Microsoft 365 Teams platform. Microsoft Teams is a unified communication and collaboration platform. When participating in interviews and joining online, personal data is collected about the participants.</p> <p>In this study, the personal data to be processed will include identifiable information of people that will be interviewed as well as other possible identifiable information of other persons, such as names, contact information as employment relationships.</p> <p>The processing of personal data is legally based on the following acts: According to Section 15a of the Act on the Transport System and Roads (Laki liikennejärjestelmästä ja maanteistä), transport system planning is continuous and interactive planning based on impact assessment and cooperation between authorities and other actors. The aim of transport system planning is to promote a functional, safe and sustainable transport system by taking particular account of:</p> <ol style="list-style-type: none"> 1) the interaction between transport, land use, service structure and business activities and the current and future transport needs generated by the operations; 2) the mobility needs of different groups of people and the functionality of travel chains; 3) the transport needs of industry and the functioning of transport chains; 4) traffic safety; 5) prevention and reduction of environmental impacts of transport; 6) energy efficiency of the transport system; 7) access to information and digitalization; 	

- 8) private and market-based mobility services, as well as traffic and transport services;
9) the development and financing needs of public and publicly funded mobility services and transport services; and
10) the development needs and financing of transport networks and their nodes.

According to Section 15d(2) of the Act on the Transport System and Roads, the Finnish Transport and Communications Agency participates in the planning of transport system and measures as an expert in the promotion of transport services, market functionality, data utilisation and automation.

The processing of personal data is based on the performance of a task carried out in the public interest of the controller (Article 6(1)(e) of the General Data Protection Regulation (2016/679) and Article 4(1)(2) of the Data Protection Act (1050/2018).

Data content	
The data undergoing processing	<p>Structured interviews and meetings with tendering authorities, bidders and key suppliers and industry parties including rolling stock owners, maintainers, retail system suppliers, and other relevant parties.</p> <p>The personal data processed are the data related to interviews and meetings as for example contact information such as name, email, phone number, region/municipality, role in the organization, employment relationship and interview content. In addition, personal data processed in remote meetings and interviews online are IP address, profile picture (if enabled), video image (if enabled), audio (if microphone is used).</p> <p>People who participate in interviews and remote meetings may also produce information themselves during interactions in Microsoft Teams meetings. The personal data to be processed and the amount of data to be processed are therefore determined by the level of individual participation in the interaction, participate in the interaction, for example by participating in the conversation or by writing messages on the chat of the remote meeting.</p> <p>The personal data processed in the study are not confidential or otherwise classified under public and special legislation. They also do not apply to special categories of personal data.</p>
Sources of the processed data (where data is received from)	<p>Personal data is received from the people participating in the study themselves during the interaction, during interviews and meeting registrations, during answering surveys and other interaction. In addition, personal data of interviewees is received from their employers or from public sources.</p>
Storage period of personal data	<p>Personal data will be stored as long as processing it is necessary to fulfil the purposes described in this data protection statement, however for a maximum for the duration of the study, i.e. until the end of October 2025, after which the personal data will be deleted.</p>

Data processing	
Recipients and categories of recipients of personal data (to whom personal data is disclosed)	The data will not be disclosed to third parties.
Processing of personal data on behalf of the controller	<p>The data processor is WSP Finland Oy (0875416-5)</p> <p>The data sub-processors are:</p> <ul style="list-style-type: none"> - WSP Sverige AB, Arenavägen 7, 12188 Stockholm, Sweden - WSP Norge AS, Postboks 185 Sentrum, 0301 Oslo, Norway - CE Consulting AS, Gartnerveien 9A, 0301 Oslo, Norway - Vectura Advisory Ltd, 3rd Floor, Great Titchfield House 14-18 Great Titchfield Street, W1W 8BD London, United Kingdom - Microsoft Ireland Operations Limited, One Microsoft Place, South County Business Park, Leopardstown, Dublin 18 D18 P52, Ireland - Microsoft Nederland B.V., Evert van de Beekstraat 354, 1118 CZ Schiphol, Nederland - WSP Global Inc., 1600, boulevard René-Lévesque Ouest, Montreal, Quebec, H3H 1P9, Canada - Tata Consultancy Services Ltd (TCS), C 101, 1st floor, 247 Park, L.B.S. Marg, Vikhroli (West), Mumbai - 400083, India
Transfer of personal data to third countries outside the EU/EEA	The data can be transferred to United Kingdom, Canada and India.
Automated decision-making and profiling	Automatic decision-making or profiling is not used.

Rights of the data subject	
<p>About exercising rights</p> <p>email or by post. The controller's contact details are listed in this privacy statement under the section 'Controller's contact details'.</p> <p>The right to lodge a complaint with the supervisory authority</p> <p>If you believe that your personal data is being processed in violation of currently valid legislation, you may lodge a complaint with the Office of the Data Protection Ombudsman.</p> <p>Office of the Data Protection Ombudsman PO Box 800, FI-00531 Helsinki tietosuoja(at)om.fi tel. +358 29 566 6700</p>	
Right of access	The data subject has the right to obtain from the controller confirmation as to whether or not personal data concerning him or her is being processed. If processing takes place, the data subject has the right to access the personal data.
Right to rectification	The data subject has the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her.

Right to object	<p>In situations where the processing of personal data is based on public interest, the exercise of official authority vested in the controller or the legitimate interest of the controller or a third party, the data subject has the right to object to the processing of personal data concerning him or her.</p> <p>If a data subject uses his or her right to object, the controller must stop the processing of the personal data, unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or for the establishment, exercise or defence of legal claims.</p> <p>If personal data is processed for direct marketing purposes, the data subject has the right to object to the processing without any specific grounds.</p> <p>In situations where personal data is processed for statistical or research purposes, the data subject may object to the processing on grounds relating to his or her particular situation, in response to which the controller must stop processing the data subject's data, unless the processing is necessary for performing a task carried out for reasons of public interest.</p>
Right to restriction of processing	<p>The data subject has the right to obtain from the controller restriction of processing if:</p> <ul style="list-style-type: none"> - the accuracy of the personal data is contested by the data subject; - the processing is unlawful but the data subject opposes the erasure of the personal data and requests the restriction of their use instead; - the controller no longer needs the personal data for the purposes of the processing, but it is required by the data subject for the establishment, exercise or defence of legal claims; - the data subject has objected to the processing of the personal data pending the verification of whether the legitimate grounds of the controller override those of the data subject.
Right to data portability	<p>The right does not apply to the processing operations in question because the data subject has not provided the data to the controller in a structured, commonly used and machine-readable format, and they are not subject to automated decision-making.</p>
Right to erasure	<p>In situations where the legal basis for the processing of personal data is something other than compliance with a legal obligation, the data subject has the right to obtain from the controller the erasure of personal data concerning him or her. The requested data will be erased unless the controller has a legal basis for refusing to erase the data, such as a legal obligation to retain the data.</p>
Right to withdraw consent	<p>Insofar as personal data is processed on the basis of the consent of the data subject, the data subject may withdraw his or her consent at any time by notifying the controller of the withdrawal. Withdrawing consent will not affect the lawfulness of processing carried out on the basis of the consent of the data subject before its withdrawal.</p>