

Data Protection Notice: Road Safety course and card

This data protection notice states the purpose for which the Finnish Transport Infrastructure Agency uses your personal data and your rights as a data subject. This data protection notice applies to the Road Safety course offered by, and the Road Safety card issued by, the Finnish Transport Infrastructure Agency.

Contents

1 Data controller and data protection officer	1
2 Purpose of personal data processing	1
3 Data content of register	3
4 Duration of data retention	3
5 Regular data sources	4
6 Personal data recipients	4
7 Data transfer outside the EU and EEA	5
8 Data subject's rights	5

1 Data controller and data protection officer

Finnish Transport Infrastructure Agency PL 33 00521 Helsinki kirjaamo@vayla.fi Tel. 0295 34 3000	Contact person: Risto Lappalainen	Data protection officer: Tomi Lapinlampi kirjaamo@vayla.fi
---	--------------------------------------	--

2 Purpose of personal data processing

The Finnish Transport Infrastructure Agency ensures road workers' orientation in the specific features of the work, both from a work and traffic safety perspective, through the Road Safety course. The Finnish Transport Infrastructure Agency has assigned SPEK (Suomen Pelastusalan Keskusjärjestö – Räddningsbranschens Centralförbund i Finland ry, the Finnish National Rescue Association) with the task of administering the completion data for the Road Safety 1 course and the training for the Road Safety 2 course. The qualification is valid for five years.

The Finnish Transport Infrastructure Agency processes the personal data of people who have participated in the Road Safety course and who have successfully passed it. Data are collected about these people which the data controller needs when processing completion of the course, identity verification, Road Safety card orders, the related customer service, and quality assurance of the course. The data are also used to develop and monitor the course.

VÄYLÄ/8429/01.03.01/2019

10 Jan. 2020 Public

If a person does not wish to give the personal data necessary for the Road Safety course and card, the Finnish Transport Infrastructure Agency is unable to issue a Road Safety card to that person. The Finnish Transport Infrastructure Agency contractually requires its service providers to employ Road Safety-cardholding workers for road areas.

Personal data processing in the Road Safety course is based on the Finnish Transport Infrastructure Agency's compliance with its statutory obligations:

Pursuant to Section 1 of the Finnish Transport Infrastructure Agency Act (862/2009), the Finnish Transport Infrastructure Agency is a central government authority operating in the administrative area of the Ministry of Transport and Communications, which, as highway authority, is responsible for the maintenance and development of the road, rail and waterway service level on state-administered thoroughfares. The Finnish Transport Infrastructure Agency advances the functionality of the highway network and traffic safety through its operations.

Pursuant to Section 2 of the Finnish Transport Infrastructure Agency Act, the Finnish Transport Infrastructure Agency's tasks include responsibility for and development of the state road network it administers, responsibility for organizing traffic management, and responsibility for highway maintenance and service level, construction of significant road projects and national road construction and maintenance tasks.

Pursuant to Section 4 of the Highways Act (503/2005), the highways are administered by the Finnish Transport Infrastructure Agency. Pursuant to Section 13, paragraph 2 of the Act, the highway network is to be designed, built and maintained with consideration for its traffic significance in such a way that the highways enable safe and functional movement and transport and are as functional and safe as possible in traffic and technical terms.

With regard to traffic controllers, both Section 49 of the old Road Traffic Act (267/1981) and Section 65 of the Road Traffic Act (729/2018), which enters into force on 1 June 2020, state that the Finnish Transport Infrastructure Agency may appoint a person to control traffic on or near a road because of works. The old Road Traffic Act stipulates that the person must have the expertise required by the task and traffic controller training approved by the authority appointing him or her. The newer Road Traffic Act stipulates that a person serving as a traffic controller must be given the instruction required for the task. Road safety courses cover the principles of traffic control in relation to works done on the state-owned road network.

The Finnish Transport Infrastructure Agency has obligations towards its staff under the Occupational Safety and Health Act (738/2002). Section 11 of the Act defines situations in which particularly dangerous work is performed. The Finnish Transport Infrastructure Agency has stated that work in the road area may cause a particular accident hazard, which is made clear by the government decree on construction work safety (205/2009), appendix 2, issued pursuant to the Occupational Safety and Health Act. The decree names works in road and street areas as works intended by Section 10 of the decree which present particular hazards for workers' safety and health. Particularly hazardous work may only be performed by a worker who is suitable by virtue of competence and personal qualifications, or by a worker directly monitored by him or her. Others' access to the hazardous area must be prevented

through necessary measures. Because of the above, people whose job description includes work on a road building site must have received road safety training.

Section 8 of the government decree on construction work safety (205/2009), issued pursuant to the Occupational Safety and Health Act, stipulates the documents to be compiled by the building developer and establishes how implementation is to be monitored in building work. These documents include a safety document, and written safety rules and procedural instructions. In safety terms, the Finnish Transport Infrastructure Agency demands in these documents that people working in the road area and planning work in the road area have undergone the Road Safety course to ensure road workers' and users' safety.

Personal data processing in the Road Safety courses is necessary for the Finnish Transport Infrastructure Agency's statutory duties and to ensure the safety of people moving on the road and in road areas. Ensuring safety is part of the Finnish Transport Infrastructure Agency's performance of its task to serve the public interest.

3 Data content of register

The following data about Road Safety course participants are processed:

- name
- date of birth
- Road Safety course participation data
- in addition, for users of the Road Safety 1 course electronic learning platform:
 - email address
 - IP address from which the person is participating in the course
 - login data
 - user ID
 - information on use of support service
 - language of completion of course

The following data about people who have completed Road Safety courses are processed:

- name
- date of birth
- Road Safety course completion data, such as completion date and educational organization
- in addition, temporarily, contact details, such as address when issuing a new Road Safety card or when a data subject makes contact for another reason

The register does not contain data which SPEK or the educational organization needs in its operations, such as client details or invoicing details.

4 Duration of data retention

For the Road Safety 1 course:

A participant in the Road Safety 1 course receives a confirmation link by email. If the confirmation link is not opened within seven (7) days of logging in, the participant's personal data are erased.

The personal data of participants who have failed to complete their courses are erased seven (7) days after the last login. To complete the course in such a case the person must re-register and start the course again.

Upon successful completion of the course the participant's name, date of birth and course pass date are transferred to the road safety register and other personal data are erased within seven (7) days.

The personal data of people who have successfully completed the Road Safety 1 course are stored for the duration of the validity of their qualification, which is five (5) years, and for one (1) year after the end of validity. Personal data are erased in a reasonable period after this.

For the Road Safety 2 course:

The personal data of participants of the Road Safety 2 course are stored for the duration of the course and for three (3) months after completion of the Road Safety course. Personal data are erased in a reasonable period after this.

The personal data of people who have successfully completed the Road Safety 2 course are stored for the duration of the validity of their Road Safety qualification, which is five (5) years, and for one (1) year after the end of validity. Personal data are erased in a reasonable period after this.

5 Regular data sources

Personal data are collected:

- from the data subject
- from the educational organization (participation and completion data) on the basis of the data subject's participation and course completion

6 Personal data recipients

Personal data are processed on behalf of the Finnish Transport Infrastructure Agency by:

- Mediamasteri Oy, with respect to the Road Safety 1 course electronic learning platform, and
- its service provider Ficolo Oy
- in the Road Safety 2 course, the educational organization in whose course the data subject participates
- SPEK and its IT system service providers operating in Finland

The Finnish Transport Infrastructure Agency does not disclose personal data related Road Safety courses to any particular party. Data are disclosed to parties requesting them in accordance with the Act on the Openness of Government Activities. Information and documents are public unless explicitly classified by law as secret. In terms of personal data, the Finnish Transport Infrastructure Agency assesses, in accordance with the Act on the Openness of Government Activities, whether the recipients has the right under personal data protection regulations to store and use such personal data.

Data are not disclosed for direct marketing or opinion or marketing research, unless regulation specifically provides for disclosure for such purposes.

A data subject may use the Road Safety card to demonstrate completion of the course to his or her employer.

7 Data transfer outside the EU and EEA

Data are not transferred outside the European Union or European Economic Area.

8 Data subject's rights

You have the right to know whether we process personal data related to you and the right to receive a copy of your personal data.

You may ask us to correct incorrect data we hold on you.

You may object to processing of your personal data on the basis of a particular personal situation when the Finnish Transport Infrastructure Agency processes your data to serve the public interest or to exercise the public power belonging to the Finnish Transport Infrastructure Agency.

You may ask us to limit processing of your personal data in the following situations:

- the data held on you are incorrect in your opinion
- you have objected to the processing of your personal data but your request has not yet been processed
- you need the data to establish, exercise or defend a legal claim
- your data are being processed illegally but you do not want your data to be erased

You may also request erasure of your data, which will terminate validity of your qualification and oblige you to return your Road Safety card.

Evaluation of the passing of the Road Safety 1 course is an automated individual decision based on the answers you supply in the course. This automated decision-making does not have a significant impact on you pursuant to Article 22 of the General Data Protection Regulation, because you may, if you wish, participate in the course again as many times as you wish and when you wish.

Exercise of the data subject's rights

If you have already completed the Road Safety 1 course or your question relates to the Road Safety 2 course, you may make requests concerning your rights to SPEK by telephone or email.

tel. +358 9 4761 1301 (weekdays 09:00 to 15:00)

or turvallisuuskortit@spek.fi

In other cases you may contact the Finnish Transport Infrastructure Agency contact person. If you wish, you may also contact the Finnish Transport Infrastructure Agency's data protection officer. You may find contact details in Section 1 of this Data Protection Notice.

Information and actions are free of charge to the data subject, unless the requests are clearly baseless or reasonable, or if, in particular, they are presented repeatedly.

You have the right to complain to a supervisory authority if you consider that processing of your personal data has breached the applicable data protection regulations. The supervisory authority in Finland is the Data Protection Ombudsman (www.tietosuoja.fi).