



the occupational
psychology centre

Client Personnel Privacy Notice

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The Occupational Psychology Centre Limited

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About this Privacy Notice

This privacy notice describes how The Occupational Psychology Centre Limited (**the 'OPC', 'we' or 'us'**) collects and uses your personal information.

We are a “**data controller**”. This means that we are responsible for deciding how we hold and use personal information about you, and for explaining this clearly to you. It is important that you read this notice, together with any other privacy information or notices we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

This notice applies to any individual who is an employee, member of staff, other worker, agent, consultant or representative of one of our Clients and has been referred to us for post incident Consultancy Services (**'Client Personnel', or 'you'**).

Our **'Clients'** are organisations which engage us to provide Consultancy Services.

Our **'Consultancy Services'** involve us undertaking consultancy, advisory and analysis services following an incident involving any Client Personnel and our advice regarding safety issues concerning any Client Personnel. As part of these services, we may interview you and your colleagues in relation to an incident, and ask you to complete various questionnaires and psychometric tests.

What information do we collect about you?

We collect the following information about you from our Clients:

- name;
- address;
- date of birth;
- National Insurance Number;
- information disclosed by the Client and the Client Personnel in relation to incidents;
- health, medical information or whether you have a disability which is relevant to the Consultancy Services; and
- any response or comments by the Client in relation to the Consultancy Services.

We collect information directly from you, including the following:

- information provided by you in relation to your employment and your personal circumstances;
- interview records; and
- health, medical information or whether you have a disability.

In addition, we will also obtain a copy of your original train driver psychometric test results held on the **'Industry Body'** national database. The Industry Body is the national body comprising membership of a number of organisations and service providers in the rail industry which maintains a shared database of applicants, currently the Rail Assessment Centre Forum or such other replacement body from time to time. This helps us check the appropriate records to assist us with the Consultancy Services. The Industry Body database contains a record of rail industry applicant names, addresses, date of birth, National Insurance Numbers, results of the pre-assessment checks and the date and results of



applicant recruitment assessments (including psychometric test results) in accordance with industry best practice and guidance from the Office of Rail and Road. The members of the Industry Body are joint controllers for the purposes of the Industry Body shared database.

For what purposes do we use your personal information?

We use your personal information to carry out obligations arising from the contracts between us and our Clients in order to provide the Consultancy Services. This includes:

- the supply of personal information by the Client to us for the purpose of providing details in relation to the Consultancy Services;
- conducting the Consultancy Services;
- sharing information arising from the Consultancy Services with you and our Client (and, as applicable, healthcare professionals, and any other permitted recipients);
- as part of the Consultancy Services, we will create reports which will contain your personal information. We will share the relevant reports with you and with our Client. It may be the case that the Client Personnel report and the Client reports differ slightly. In certain circumstances, we may withhold certain information from our Client in respect of the Consultancy Services if instructed by you, or if we otherwise deem it reasonable to do so in the circumstances, in accordance with our professional standards.
- communicating with you, including to provide you with information in relation to the Consultancy Services; and
- where it is necessary for our business or our Client's business.

Please note that we may process your personal information without your knowledge or consent where this is required or permitted by law.

What are the legal bases for us to use your personal information?

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- where it is necessary for our legitimate interests (or those of a third party such as our Clients or passengers) and your interests and fundamental rights do not override those interests. Our legitimate interests are to perform the contract for services we have entered into with our Clients and to ensure the smooth running of our business; to provide tailored advice and services to our Clients; and to manage our relationships with and for our Clients;
- where the processing is necessary for the performance of a task carried out in the public interest (to ensure that safety-critical personnel have the relevant skills, abilities, qualifications and attributes, to ensure that Client Personnel are fit to work following incidents and to ensure that information is monitored throughout the industry); and
- where we need to comply with a legal obligation.



Special categories of personal data

As mentioned above, we may from time to time collect, store and use more sensitive personal information about you as part of the Consultancy Services, including information about your health, any medical condition or disability, or any other sensitive information that you provide in interviews,

These special categories of personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information.

We process special categories of personal information in the following circumstances:

- where the processing is necessary for reasons of substantial public interest, to ensure that safety-critical personnel have the required working capacity on health grounds; and
- where it is necessary to establish, exercise or defend a legal claim, for example if there is any issue with the Consultancy Services.

Automated decision-making

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making as part of the Consultancy Services.

Sharing your information

We may share all relevant parts of your personal information with third parties as follows:

- with our Clients as part of the Consultancy Services;
- with medical professionals if relevant in the circumstances;
- with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so;
- if we sell or buy any business or assets, in which case we may disclose your personal information to the prospective seller or buyer of such business or assets;
- if we have a legal obligation to do so or for the purposes of fraud protection and credit risk reduction; and
- with third party service providers who act on our behalf such as IT services providers. This notice also covers third party service providers we may engage with.

Where will we store your personal information?

Any personal information that you submit to us will be held on our secure servers which are based within the UK.

If our Client is based outside of the UK or the European Economic Area (EEA) then we will receive and transfer your personal information to them.

We only transfer personal information outside the UK and the EEA where we are permitted by law.

To ensure your personal information does receive an adequate level of protection, we have put in place appropriate measures to ensure that your personal information is treated by those parties in a



way that is consistent with and which respects the UK and EU laws on data protection. If you require further information about these protective measures you can request it from admin@theopc.co.uk.

How long will we use your personal information for?

We only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting or reporting requirements.

To determine the appropriate retention period for personal information, we consider the amount, nature and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

Your rights in relation to our processing of your personal information

In certain circumstances, you have the right to:

- be informed about what we are doing with your personal information - we do this by providing you with this privacy notice;
- object to the processing of your personal information;
- request a copy of the personal information we hold about you;
- request correction of the personal information that we hold about you if it is incorrect;
- ask us to delete the information that we hold about you where there is no good reason for us continuing to process it;
- in certain circumstances, to ask us to stop processing personal information where we are relying on a legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground;
- ask us to restrict how we use your personal information for a period of time if you claim that it is inaccurate and we want to verify the position, or if our processing is unlawful but you do not want us to erase your personal information, or for some other limited circumstances; and
- ask us to send another organisation information that you have provided to us in a format that can be read by computer.

If you want to exercise any of your rights, please contact admin@theopc.co.uk.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights).

If you consider that we have not acted properly when using your personal information, you can contact the Information Commissioner's Office: ico.org.uk

The OPC is a company registered in England under number 3081548 and having its registered office at One Wellstones, Watford, Hertfordshire, WD17 2AE.

