



the occupational
psychology centre

Candidate Privacy Notice

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Prepared by:

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 has made a job application to one of our Clients; or any individual who has made enquiries to one of our Clients regarding a job application - and as part of the application process is referred to us to undertake Pre-Assessment Checks or Recruitment Assessments (**'Candidates' or 'you'**).

Our **'Clients'** are organisations within the rail industry which engage us to provide Candidate pre-assessment checks and Recruitment Assessments to assist with their recruitment process - i.e. our Clients are the train operator organisations to whom you applied for a job (or to whom you made enquiries regarding a job application).

We conduct **'Pre-Assessment Checks'**, which means that we check a Candidate's suitability to continue with the recruitment process for one of our Clients. As part of these checks, we share and check your details with our **'Industry Body'** (which 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), to see whether and when the Candidate has previously made an application for a similar role with another company within the industry and the outcome of that application, and the Candidate's assessment history.

If you are successful with the Pre-Assessment Checks, we will invite you to undertake a **'Recruitment Assessment'** - which involves giving you assessments and interviewing you in order to select suitable candidates for the Client.

As part of the Pre-Assessment Checks and the Recruitment Assessments, we share your personal information with the Industry Body (as mentioned above), the Office of Road and Rail and, if you apply to more than one of our Clients, we will share your personal information with the other Client that you have applied to - these activities are further described in this privacy notice.

This privacy notice sets out how the OPC uses your personal data as part of our relationship with our Clients. If you have any questions or queries in relation to your application or the recruitment process, you should deal directly with the organisation to whom you applied.

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; and
- any response or comments by the Client in relation to Recruitment Assessments.

We collect the following information about you from our Industry Body:

- details of previous application history and results within the rail industry.



We collect information directly from you, including the following:

- biographical and other information, information about your gender, qualification level, race or national or ethnic origin, religious and philosophical beliefs and sexual orientation;
- health, medical information or whether you have a disability which is relevant to your application; and
- results of the Recruitment Assessments.

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 to assist with their recruitment process. This includes:

- facilitating the Pre-Assessment Checks;
- disclosing your personal information to the Industry Body, and receiving personal information from the Industry Body, in order to conduct the Pre-Assessment Checks;
- communicating the results of the Pre-Assessment Checks to our Clients;
- sharing details of your application (date of test and test results) with our other Clients within the rail industry, if you make an application to more than one of our Clients - please see the 'Sharing your information' section of this privacy notice;
- the organisation and the operation of the Recruitment Assessments;
- communicating the results of the Recruitment Assessments to you and our Clients;
- communicating with you to provide feedback (if requested);
- where it is necessary for our business or our Clients' business; and

The Industry Body monitors job applications and assessment history within the rail industry to see whether and when a Candidate has previously made an application for a similar role with another company within the industry and the outcome of that application, this is in accordance with industry best practice and Office of Rail and Road guidance. As part of our membership of the Industry Body, we:

- record the Candidate application on the Industry Body shared database, which will be shared with other members of the Industry Body; and
- communicate the results of the Pre-Assessment Checks to the other members of Industry Body and store this information on the Industry Body shared database.

The members of the Industry Body are joint controllers for the purposes of the Industry Body shared database.

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

Our legal basis for using 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 the Industry Body or other members of the Industry Body) 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 and attributes 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 Recruitment Assessments.

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

- we process information about your health, medical condition or disability (for example, if you are dyslexic), where the processing is necessary for reasons of substantial public interest as necessary to assess your working capacity on health grounds;
- we process information about your race or national or ethnic origin, religious and philosophical beliefs and sexual orientation, to ensure meaningful equal opportunity monitoring and reporting. We make every reasonable effort to anonymise such information; and
- where it is necessary to establish, exercise or defend a legal claim, for example if a concern is raised about the recruitment process.

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.

Automated decision-making

If you undertake an online test as part of the Recruitment Assessment, you will be subject to automated decision making. Please see our Online Test Privacy Notice for further information.

Sharing your information

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

- with our Clients as part of their recruitment process ;
- the results of the Pre-Assessment checks, and the date and results of your Recruitment Assessments, with any of our other Clients to whom you make an application - in support of our legitimate interests in saving you time in taking the Recruitment Assessment again as it 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 and attributes and to ensure that information is monitored throughout the industry);
- your name, address, date of birth, National Insurance Number, and the results of the Pre-Assessment Checks and the date and results of your Recruitment Assessments with the Industry Body and the other members of the Industry Body in order to conduct and record the Pre-Assessment Checks and the outcome;
- with the Office of Rail and Road, the independent safety and economic regulator for Britain's railways and monitor of Highways England (or any replacement body from time to time) - we provide details of your name, National Insurance number and an overview of your test results so you can obtain your train driver licence;



- 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, reporting requirements or data sharing.

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.