

## DATA PRIVACY NOTICE

### Your personal data – what is it?

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the General Data Protection Regulation 2016/679 (the "GDPR")

### Who are we?

Industrial and Organisational Health (IOH) is an occupational health company and is the data controller for the data it collects. This means it decides how your personal data is processed and for what purposes.

### How do we process your personal data?

IOH complies with its obligations under the GDPR by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

### How do we use your personal data?

We use your data to provide occupational health services, in particular,

- To carry out health surveillance and screening, as required by law, regulations and the needs of employers
- To provide specialist support to individuals experiencing health issues that are affecting their work
- To carry out specialist medicals required by law for certain professions
- To provide anonymised information to our clients on the above activities

We will not transfer your data outside of the European Union, nor use it in any automated decision making processes.

### What is the legal basis for processing your personal data?

The GDPR only allows us to process your data if we are able to justify it on lawful grounds and provides six criteria that can be used (Article 6 of the Regulation)

Our processing is always based on one or more of the following,

- (a) **Consent:** the individual has given clear consent for us to process their personal data for a specific purpose.
- (b) **Contract:** the processing is necessary for a contract we have with the individual
- (c) **Legal obligation:** the processing is necessary for us to comply with the law (not including contractual obligations).
- (d) **Legitimate interests:** the processing is necessary for our legitimate interests or the legitimate interests of a third party

We also process what is called "special category" data. This is particularly sensitive personal data and, in our case, relates to your health data. The Regulation allows us to do so, so long as it is for one of the specified purposes defined by the Regulation (Article 9.2). Our processing is based upon the following

- (a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes,
- (b) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis,

### **Do we share your personal data?**

Your personal data will be treated as confidential and will be shared only with your employer (if relevant), and with your consent. Exactly what may be shared will be explained at the time of any clinical intervention, at the same time as you will be asked to consent.

### **How long do we keep your personal data?**

We only keep your personal data so long as is required by law. We are required to meet a variety of legal obligations relating to health records and employee data. If you would like more information on this, we can provide you with our policy on the retention and destruction of records.

### **What are your rights?**

The GDPR gives you a range of right with regards to the data we process. These are,

- The right to request a copy of your personal data held by us
- The right to request that the we correct any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary for us to retain such data;
- The right to withdraw your consent to the processing at any time
- The right to request that we provide you with your personal data held by us, and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable)
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to the processing of personal data, (where applicable)
- The right to lodge a complaint with the Information Commissioners Office.

### **Further information**

#### **Within IOH**

Our Data Protection Officer is Dr Jon Broome

#### **The Information Commissioner**

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

#### **The GDPR**

Further information on, and explanation of, the GDPR can be found on the Information Commissioner's website at <https://ico.org.uk/>