

Privacy policy; Customer Information



WHO WE ARE

Frazer-Nash Consultancy Ltd (company number 02562870), whose registered office is at c/o Devonport Royal Dockyard Ltd, Devonport, Plymouth, Devon PL1 4SG) ("Frazer-Nash", "we", "us", "our") on certain occasions collects, uses and is responsible for certain personal information about our customers, or the data subjects for whom our customers are acting as the data controller ("you", "your", "their", "them"). When we do so, we are subject to the Privacy Act 1988 (Cth), Data Protection Act 1998, and the General Data Protection Regulation ((EU) 2016/679), any national implementing laws, regulations and secondary legislation, and any related or successor legislation on data protection ("Data Protection Law").

WHAT IS THE PURPOSE OF THIS POLICY?

Frazer-Nash regularly interacts with you (our customer) to pursue projects on your behalf. For the most part this does not require the transfer of personal data from you to us. Occasionally the nature of the work does require that we receive, collate, store, and process personal data supplied by you which concerns you or your data subjects.

This Policy describes how we collect and use personal information supplied by you during and after the working relationship with Frazer-Nash.

This Policy applies to personal information relevant to current and former customers or their data subjects.

Please read this Policy carefully, together with any other policy or notice relating to the personal information which we may publish on specific occasions when we are collecting or processing personal information supplied by you to us and concerning you or your data subjects.

TERMINOLOGY USED IN THIS POLICY

When we refer to "**personal information**" in this Policy, we mean any information about an individual which can be used to identify that individual.

When we refer to "**special category personal information**" in this Policy, we mean types of personal information which require a higher level of protection, for example, information revealing racial or ethnic origin, political opinions or religious beliefs.

When we refer to a "**data subject**" that is any person whose personal data is being collected, held or processed.

For the purposes of Data Protection Law, when the personal information is being supplied by you to us, then you are the "**data controller**". This means that you are responsible for deciding how we will hold and use the personal information supplied by you to us. These written instructions need to be identified during the contract negotiations so that they may be embodied into the contract that you place on us.

For the purposes of Data Protection Law, when the personal information is being supplied by you to us then we are a "**data processor**". This means we must process that data in accordance with your written instructions.

PERSONAL INFORMATION WE COLLECT THAT IS SUPPLIED BY YOU

We may, in accordance with your written instructions, collect, store, and use the following categories of **personal information** about you or your data subjects:

- Business contact details such as name, title, addresses, telephone numbers and business email addresses
- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Role details within an organisation (e.g. title, position, department, name of organisation) (if applicable)
- Copy of driving licence (if applicable)

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- Copy of identification information (for example passport, birth certificate, utility bill) (if applicable)
- Date of birth (if applicable)
- Gender (if applicable)
- Details of professional memberships, accreditations and insurances (if applicable)
- Copies of right to work documentation, references and other information (if applicable)
- Fees, charges and other payment information (if applicable)
- Information about your use of our information and communications systems (if applicable)
- Information contained in a curriculum vitae or company summary (any “special category” personal information contained therein will need to be redacted before it is supplied to us)
- National Insurance number (if applicable)
- Next of kin and emergency contact information (if applicable)
- Performance information (if applicable)
- Photographs (if provided/applicable)
- Electronic identification data, where required for the purpose of delivering products or services to our company (e.g. login, passwords, badge number and picture, IP address, online identifiers/cookies, logs, access and connection times, CCTV footage) (if applicable).

We do not collect or store any “**special category**” **personal information**:

HOW IS PERSONAL INFORMATION COLLECTED?

Where required we collect personal information about you or your data subjects in written documents, electronic emails, email attachments, in information supplied on magnetic media, or information provided by verbal briefing.

HOW WE USE INFORMATION ABOUT YOU

Under Data Protection Law, we can only use your personal information if we have a proper reason for doing so. Most commonly, we will only use your personal information in the following circumstances:

- (i) in order to perform the contract we have entered into for which you are a stakeholder, or
- (ii) where we need such personal information in order to comply with a legal obligation.

If you choose to withhold your personal information

If you or the data subjects that you nominate to take part in the project choose to withhold personal information when requested to provide it, in some cases and depending on the importance of the activity for which it was requested we may not then be able to capture and record their input with respect to the system, equipment or process under consideration and in some cases this may halt the progress of the project.

Change of purpose

We will only use personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use personal information for an unrelated purpose, we will notify you beforehand and we will explain the legal basis which allows us to do so.

WHO WE SHARE YOUR PERSONAL INFORMATION WITH

We will only disclose your personal information, or the personal information you supply to us, to third parties when the law allows us to do so.

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By “third parties”, we mean other entities within our corporate group, or regulatory bodies, or you, the customer that commissioned the work, or a third party where in the reasonable opinion of Frazer-Nash Consultancy Ltd there is a legitimate reason for doing that (e.g. in the case that you ask us to pass it to an Independent Auditor).

We will only disclose personal information to such third parties in the following circumstances:

- (i) where we are required by law to do so;
- (ii) where it is necessary to administer the working relationship with you; or
- (iii) we have legitimate interest in disclosing the information to such third parties.

KEEPING YOUR PERSONAL INFORMATION SECURE

We have appropriate security measures in place to prevent your personal information, or the personal information that you supply to us, from being accidentally lost, or used or accessed unlawfully. We limit access to personal information to those who have a genuine business need to know it. Those processing personal information will only do so in an authorised manner and are subject to a duty of confidentiality.

In the event that we become aware of an actual or suspected data security breach, we will promptly take all necessary steps to address such breach.

HOW LONG YOUR PERSONAL INFORMATION WILL BE KEPT

We will only retain your personal information, or the personal information that you supply to us, 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 the personal information, the purposes for which we process personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information, or the personal information that you supply to us, so that it can no longer be associated with you or to the data subjects, in which case we may use such information without further notice to you. We will retain and securely destroy that personal information in accordance with our data retention policy.

TRANSFERRING DATA OUTSIDE OF THE EUROPEAN ECONOMIC AREA (“EEA”)

This will not be relevant in the majority of cases but because there exists the possibility that it may occur we are required to state what we would do in that circumstance.

As well as our network of offices in the UK, we also have several offices in Australia. As a result, it is possible that from time to time, we may transfer your personal information, or the personal information that you supply to us, to Australia. This would be most likely to occur in the event that we are progressing a project that is managed by one of our Australian offices.

Aside from transfers to Australia, it may also be necessary from time to time, for us to transfer your personal information to other countries outside the EEA. For example, where you instruct us to contribute to a project outside of the EEA. In any event we will contact you to inform you of this proposed transfer before it is completed.

Protecting your personal information

We will ensure that your personal information, or the personal information that you supply to us, is suitably protected.

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With regard to transfers of personal information to Australia, we will ensure your personal information is protected by requiring our Australian offices to comply with the EU's model clauses on transfers of personal information outside the EEA.

For transfers to non-EEA countries other than Australia, we will safeguard your personal information by (i) ensuring that the transferee country is one which has been granted an EU "adequacy decision"; or (ii) putting in place sufficient safeguards, in accordance with the applicable Data Protection Law, to protect your personal information.

If you would like further information, please do not hesitate to contact us.

YOUR RIGHTS AND RESPONSIBILITIES

Your rights in connection with personal information

Under certain circumstances, by law you or your data subjects have the right to:

- **Request access** to personal information (commonly known as a "data subject access request"). This enables you or your data subject to receive a copy of the personal information we hold about you/them and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you/them. We are happy to update the information that we hold upon receipt of a request from you detailing the amendment but only in the circumstance that you notice an inaccuracy with the information and that it was inaccurate at the time that the data was originally supplied.
- **Request erasure** of personal information. This enables you or your data subject to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you or your data subject want to object to processing on this ground.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you or your data subject, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of personal information to another party.

If you want to review, verify, correct or request erasure of personal information, object to the processing of personal information, or request that we transfer a copy of personal information to another party, please contact us using the following email address datamanagement@fnc.co.uk.

For more information about your rights, you may wish to look at the Information Commissioner's Office website www.ico.org.uk.

No fee usually required

You will not normally have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

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

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appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

RIGHT TO WITHDRAW CONSENT

In the circumstances where you have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact us. Once we have received notification that you have withdrawn your consent, we will no longer process your information or that of your data subject for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

HOW TO CONTACT US

If you have any questions about this Policy or how we handle your personal information, please contact the Head of Human Resources & Administration using the following email address datamanagement@fnc.co.uk

In the event you have a complaint relating to our handling of your personal information, you also have the right to lodge a complaint with the Information Commissioner in the UK.

CHANGES TO THIS POLICY

We reserve the right to update this Policy at any time, and we will republish it when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.