

Official Injury Claim Limited Privacy Notice for Claimants

1. Introduction

The Official Injury Claim Service has been developed as part of a package of measures introduced by the Government to reform the way low-value personal injury claims arising from road traffic accidents are processed.

This notice explains how we will process your personal information when you use the Official Injury Claim Service to submit a claim and provides you with additional information regarding your privacy rights. It is important that you read this Privacy Notice so that you are fully aware of how and why we use your personal data in the context of the Official Injury Claim Service.

2. Who is primarily responsible for your personal information?

Official Injury Claim Limited (company number 11752037, registered in England) is primarily responsible for the personal information we collect about you when you use the Official Injury Claim Service. We are therefore termed the 'controller' under UK data protection law.

Where you provide personal information to the Official Injury Claim Service about other individuals (such as witnesses), we will be the controller of the personal data you provide about them as well. To the extent you have not already done so, you should do your best to bring this policy to the individual's attention, before supplying us with their personal data.

3. How is your personal data collected?

We collect personal information from and about you through:

- You directly when you interact with or use our website or where you choose to correspond with us in connection with our products and services.
- You are required to provide any personal data we reasonably require to enable us to meet our obligations in connect with the services we provide to you, including any statutory or contractual obligations. Where you are unable to provide us with personal data we reasonably require to meet our obligations, we may be unable to offer services to you and we may have to terminate any existing services with immediate effect.
- Direct interactions. When you submit and process a claim, in order to create an account on the Official Injury Claim Service, you provide us with certain categories of personal information, including your name, contact details and information or reports about the injury you suffered during the relevant accident.
- If you have engaged a professional representative to submit a claim on your behalf, through your professional representative. Your professional representative will provide us with certain categories of your personal information which are required to submit and process your claim. These will include your name, contact details and information or

reports about the injury you suffered during the relevant accident.

- Automated technologies or interactions. As you interact with the website that hosts the Official Injury Claim Service, we automatically collect information about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive technical data (such as your IP address and information about your browser) if you visit websites employing our cookies. Please see our [Cookie Policy](#) for further details.

4. How we use your personal data and how long we keep it for

We will only use your personal data when the law allows it and only to the extent necessary in order to fulfil the purpose for which we need to collect it. Below we set out these purposes, the lawful basis we rely on in order to do so, and how long we keep your personal information for.

Purpose for which we use your personal data	What type of personal data are we using?	What lawful basis do we rely on to use your personal data?	How long do we retain your personal data?
To fulfil our obligations to you under the Conditions of Use for the Official Injury Claim Service, broadly to enable you to create and use an account on the Official Injury Claim Service, and to submit your claim through the Official Injury Claim Service. We will use your personal data to manage and administer the claim submitted.	<ul style="list-style-type: none"> Name Date of Birth Email address Contact telephone number Current home address, and previous home addresses in cases where you have been at your current address for under three months National insurance number Employment status/occupation The license plate number for the vehicle you were in at the time of the accident Any personal information included in your response to the security questions 	<p>We use your personal data to fulfil our contractual obligations to you under the General Conditions of Use for the Official Injury Claim Service, broadly to enable you to create and use an account on the Official Injury Claim Service to submit claims. We cannot fulfil our contractual obligations if you do not provide the personal data required to create an account on the Official Injury Claim Service. If you do not provide the personal data required, you will not be able to create an account on, or submit your claim through, the Official Injury Claim Service.</p> <p>We use your sensitive personal data as it necessary to establish, exercise or defend a legal personal injury claim submitted through the Official Injury Claim Service.</p>	We will retain the personal information you provide in submitting your claim for the duration of your claim, and for seven years from the date the claim is closed on our system for the purpose of defending potential legal claims in the future, after which it will be deleted.

	<ul style="list-style-type: none"> • Medical information • Gender 	We use your sensitive personal data as it necessary to establish, exercise or defend a legal personal injury claim submitted through the Official Injury Claim Service.	
In order to verify your identity when you create a claim on the Official Injury Claim Service.	<ul style="list-style-type: none"> • Name • Address • Date of birth • National insurance number 	We rely on our legitimate interest in deterring fraudulent claims being submitted through the Official Injury Claim Service, and in verifying your identity when you create a claim on the Official Injury Claim Service.	We will retain the personal information you provide for seven years from the date your claim is closed on our system, after which it will be deleted.
To contact you if there are any problems with your account or if you contact the Portal Support Centre with general enquires about the service.	<ul style="list-style-type: none"> • Name • Email address • Contact telephone number 	We rely on our legitimate interests in ensuring that your account, and the Official Injury Claim Service, function as required. Our legitimate interest is the proper functioning of the Official Injury Claim Service.	We will generally only retain your personal information while you are registered on our system, and until the claim is closed.
To share your information with third parties such as the compensators who use the Official Injury Claim Service (in order to enable them to assess your claim), and with our third-party service	<ul style="list-style-type: none"> • Name • Email address • Contact telephone number • Current home address, and previous home addresses in cases where you have been at your current address for under three months • The license plate number for the vehicle you were in at the time of the accident • Policy number. 	We rely on our legitimate interest in ensuring that the Official Injury Claim Service operates as intended and enabling you to use the Official Injury Claim Service to submit claims. Our legitimate interest is the proper functioning of the Official Injury Claim Service.	We will retain the personal information you provide in submitting your claim for seven years from the date the claim is closed on our system, after which it will be deleted.

providers (such as our cloud service provider).	<ul style="list-style-type: none"> • Medical information • Gender 	We use your sensitive personal data as it necessary to establish, exercise or defend a legal personal injury claim submitted through the Official Injury Claim Service.	
To share your information with Medical Experts who use the Official Injury Claim Service (to enable them to contact you to arrange a medical examination and complete a medical report as part of your claim).	<ul style="list-style-type: none"> • Name • Date of Birth • Current home address • Contact telephone number • Email address • National insurance number • Employment status/occupation 	We rely on our legitimate interest in ensuring that the Official Injury Claim Service operates as intended and enabling you to use the Official Injury Claim Service to submit claims. Our legitimate interest is the proper functioning of the Official Injury Claim Service.	We will retain the personal information you provide in submitting your claim for seven years from the date the claim is closed on our system, after which it will be deleted.
	<ul style="list-style-type: none"> • Medical information • Gender 	We use your sensitive personal data as it necessary to establish, exercise or defend a legal personal injury claim submitted through the Official Injury Claim Service.	

In some circumstances you can ask us to delete your data: see “Right to erasure” below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

5. Other parties who will have access to your data

Your personal data may be disclosed by us to the following third parties within the United Kingdom and overseas:

- other companies in our group of companies, for internal reporting purposes;
- insurance companies and compensators which will review and possibly pay out under the claim you submit;
- third parties which provide technical services to us in the context of the Official Injury Claim Service which enable us to provide the Official Injury Claim Service, including Okta, Pega, and Experian;
- other service providers including IT suppliers, administration services providers and, in some cases, translation service providers;
- other public bodies, including regulatory and governmental departments, agencies and public bodies, where we are obliged or permitted by law to do so (this may include the General Medical Council, Ministry of Justice and the Information Commissioner's Office);
- our professional advisors including auditors;
- with your professional representative (where you have engaged one) so that they can process your claim on your behalf.

We may also disclose your personal data to third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then our new owners may use your personal data in the same way as set out in this Privacy Notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law.

6. Accuracy of your information

We rely on the availability of accurate personal data to enable us to provide the services to you and operate our business. You should therefore notify us of any changes to your personal data that may affect the proper management and administration of the services we provide to you.

7. Transferring your personal information overseas

Your personal data will generally not be transferred outside the UK other than where the transfer is necessary for the purposes of establishing, exercising or defending legal rights, obtaining legal advice, or in connection with any legal proceedings, or otherwise as permitted by law.

We will only share personal data with others outside the UK when we are legally permitted to do so, namely where:

- the UK government has decided that the relevant country has adequate protective rules in relation to data protection in place (an “adequacy decision”);
- we have entered into the relevant “standard contractual clauses” with the recipient of your personal data (these are a set of obligations about how your data is protected and used); or
- we can rely on another basis under the law such as that we have to share the personal data because this is necessary for the purpose of a court case, investigation or to protect our legal rights.

8. Data security

We have put in place appropriate security measures to prevent your personal data from being lost, used, accessed, altered or disclosed in an accidental or unauthorised way. We are committed to ensuring that all reasonable and appropriate steps have been taken to protect your personal data which includes, where appropriate, utilising encryption measures.

We have also put in place procedures to deal with any suspected personal data breach and will notify you and any relevant regulator of a breach where we are legally required to do so.

9. Your information rights

You have the following rights in relation to the personal data we hold about you.

- **The right to access and inspect your personal data** or be provided with a permanent copy of the information we hold about you.
- **The right to request inaccurate personal data about you is rectified**, particularly if it is factually inaccurate.
- **The right to request your personal data is erased** in certain circumstances, e.g. if it is no longer necessary for us to retain the information.
- **The right to object to the use of your personal data**, particularly where you feel there are no longer sufficient grounds for us to continue processing the information or we rely on the legitimate interests lawful basis to carry out the processing.
- **The right to request the restriction of your personal data** from further processing, e.g. where the personal data is inaccurate and you request the restriction of the information until it is corrected.
- **The right to request that some aspects of your personal data be provided to you or a third party** of your choice in electronic form to enable its reuse.
- **The right to refuse direct marketing communications** or ask to stop sending you direct marketing communications.
- **The right to withdraw your consent**, where you have previously given your consent for us to collect and process your personal data.
- **The right to object to a decision which is based solely on automated processing** and which creates legal or other significant effects.

- **The right to complain to the data protection supervisory authority** if you have concerns about the way we collect and use your personal data.

Please note that some of the rights described above may be limited in certain circumstances, such as where exemptions or legal obligations apply or there is an overriding legitimate interest in continuing to process the personal data. If we are unable to fulfil a request from you to exercise one of the above rights, we will contact you to explain the reason for our refusal. If you wish to exercise your rights or have concerns about the way we collect and process your personal data please contact us at: dsars@officialinjuryclaim.org.uk.

10. Cookies

We use cookies on our websites. Cookies are small data files sent from a website to your web browser. They are stored in your web browser's cache and allow a website or a third party to recognise your browser or mobile device. We collect information about you automatically when you visit our website by using cookies and other tracking technology. For more information about cookies, and other tracking technology including how to turn them off, please see our [Cookie Notice Cookies policy | Official Injury Claim](#).

11. Service complaints

If you wish to make a complaint or enquire about any aspect of the services we provide, please contact us at:

Portal Support Centre
0800 118 1631

email: customer.service@officialinjuryclaim.org.uk

12. Data protection complaints

If you wish to make a complaint about the way we use your personal data you should contact us in the first instance at:

Data Protection Officer
Motor Insurers Bureau
Linford Wood House
6-12 Capital Drive
Milton Keynes
MK14 6XT

email: privacy@mib.org.uk

If you are not satisfied with the way we have handled your data protection complaint you may refer your complaint to the UK data protection supervisory authority at:

Information Commissioner's Office
Wycliffe House,
Water Lane,
Wilmslow,

SK9 5AF

Website: www.ico.org.uk

13. Changes to this Notice

We will update this Notice from time to time to ensure it continues to reflect the way we collect and use your personal data. Any changes to this Notice will be posted here and notified to you via email and such changes will become effective as soon as they are posted. You should therefore periodically review this notice to ensure you understand how we collect and use your personal data.