

PRIVACY NOTICE

Exposure to hazardous substances, radiation, viral hazards or bodily fluids

Your privacy is important to us. This privacy statement explains what personal data Royal Berkshire Fire and Rescue Service collects about you and how we store and use that data.

What information we collect about you

RBFRS Staff:

Name, role, workplace/designation, Home address, date of birth, details of incident, witness details. We will also collect any injury or relevant health and treatment information. If an injury results in an RBFRS individual being absent from work for more than 7 days we will request full name, address, telephone number and age from our Human Resources (HR) department.

Members of the public (on RBFRS premises):

Name, address, contact details (telephone number, email), details of incident, witness details, We may also collect any injury or relevant health and treatment information.

Why we need it

To ensure we meet our health, safety and welfare responsibilities and comply with Health and Safety Legislation.

Our legal basis for processing

Under the General Data Protection Regulation (GDPR), we are able to process your personal data under **article 6(1)(e)** – Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller and **6(1)(c)** – Necessary for compliance with a legal obligation.

Where special category data is processed:

Article **9(2)(b)** – Necessary for the carrying out of obligations under employment, social security or social protection law, or a collective agreement, **9(2)(h)** – Necessary for the purposes of preventative or occupational medicine, for assessing the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services on the basis of Union or Member State law or a contract with a health professional and **9(2)(i)** - Necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of healthcare and of medicinal products or medical devices. (*Control of Asbestos at Work Regulations 2006, Control of Substances Hazardous to Health Regulations 2002, The Ionising Radiation Regulations 1999 and Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995*)

What we do with it

The Health and Safety Department will record details and, where appropriate, instigate the accident and near miss procedure.

Please refer to the Injuries, Accidents and Near Misses privacy notice.

For RBFRS staff, Health and Safety will forward a copy of the appropriate forms to the Human Resources (HR) department to be held on your personal record file (PRF) and individual medical file with Occupational Health (where required), so that we can offer further support, guidance and treatment, where necessary.

Sharing your information

In certain circumstances, we have an obligation to inform the Health and Safety Executive (HSE) providing them with details of the occurrence.

For RBFRS staff, where appropriate, details may be passed to our Occupational Health provider (Duradiamond), as per the Occupational Health Provision policy.

There are a number of other reasons why we may share your information outside of our Service. This can be due to:

- Our obligations to comply with current legislation
- Our duty to comply with a Court Order
- You have consented to the sharing / disclosure

We may disclose information to other agencies without consent where it is necessary, either to comply with a legal obligation, or where permitted under the General Data Protection Regulation, e.g. where the disclosure is necessary for the purposes of the prevention and/or detection of crime.

We work closely with other agencies, such as councils, health services, adult and children's services and may, for the purpose of preventing risk of harm to yourself or another an individual , share your personal information.

As a public authority, we are also subject to information rights legislation (Freedom of Information Act 2000, Environmental Information Regulations 2004 and Data Protection legislation. We do receive requests for information, however, unless there is a legal obligation to provide your personal data, information will be released in a redacted form. This means your personal data will be removed before publication so that you cannot be identified.

Your personal information will not be transferred outside of the European Union (EU).

How long we keep it and how it is stored

We will only retain information for as long as necessary. Records are maintained in line with our retention schedule, which determines the length of time records should be kept. Consequently, personal information relating to:

Exposure to members of the public on RBFRS premises by hazardous substances, radiation, viral hazards or bodily fluids will be retained for 3 years, in line with our accident and near miss reporting procedure.

RBFRS Staff: Records held on your Personal Record File (PRF) will be retained for 6 years after you have left our employment, with the exception of:

Exposure to Asbestos will be retained for **40 years**

Exposure to Radiation will be retained for **50 years** from date of exposure (or 75 years from date of birth) whichever is the longest.

Your information may be retained by the Thames Valley Fire Control Service (TVFCS) for 48 hours after being reported, depending on the type of exposure in order to offer immediate support and welfare.

We take our duty to protect your personal information and confidentiality seriously. We are committed to taking all reasonable measures to ensure the confidentiality and security of personal data for which we are responsible, whether computerised or on paper. This means that your information will be kept in a secure environment and access to it will be restricted according to the 'need to know' principle. Personal details will then be destroyed/deleted.

We do compile and publish statistics showing certain information, but not in a form which identifies anyone.

Your rights

Under the General Data Protection Regulation you are entitled to exercise your right to object to us processing your data and obtain information that is held about you.

If at any point you believe the information we process on you is incorrect, you can request to have it corrected or deleted. Where possible we will seek to comply with your request but we may be required to hold or process information to comply with a legal requirement.

If you wish to discuss the information we hold about you, make a complaint about how we have handled your personal data or object to us processing it, you can contact our Data Protection Officer (DPO) who will investigate the matter.

Who to contact

Our Data Protection Officer is Becca Chapman and you can contact her at:

Royal Berkshire Fire and Rescue Service Headquarters

Newsham Court

Pincent's Kiln

Calcot

Reading

Berkshire

RG31 7SD

(0118) 945 2888

DataProtection@rbfrs.co.uk

If you are not satisfied with our response or the way we handle your information, you can complain to the Information Commissioner's Office (ICO):

<https://ico.org.uk/>

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

01625 545 745