

PRIVACY NOTICE

Royal Berkshire Fire Authority – Procurement and Contracts Privacy Notice

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

The Authority collects the following types of personal data during the course of carrying out its responsibilities in relation to ensuring it can deliver value for money through its competitive activities and the management of its suppliers.

The specific personal information may be used in order to process tenders from prospective suppliers, sub-contractors and their employees.

The range of data collected may include:

- Contact details that may include: name, address, telephone number, e mail address
- Company registration information, bank account details, VAT registration details and required HMRC information
- Evidence of insurance and company accounts, credit checks
- CVs of staff proposed for the provision of goods, works and services
- TUPE data (where applicable)
- Information as required in a supplier suitability questionnaire, PAS 91 or SSQ section of an invitation to tender. This may include such matters, but not limited to details regarding professional misconduct / criminal activity/ records and health and safety records
- Evidence of payment of taxes
- Copies of professional certificates
- Any other documentation as required by the invitation to tender as defined by central government

We may also collect references regarding a supplier's performance from a previous relevant contract.



Why we need it

We need to process your personal information in relation to the procurement of goods, works and services, for example when running tendering exercises, and establishing or managing awarded contracts

- we need to be able to correspond with you
- we may need to perform background checks (such as credit checks)
- we need to be able to undertake the required due diligence processes for bidding companies/organisations

This data is needed to support the suitability and identify the most suitable supplier to award a contract to or to provide services or supplies to the Authority.

The information and relevant supporting evidence is incorporated into the contract of the awarding supplier.

Our legal basis for processing

Under the General Data Protection Regulation (GDPR), we are able to process your personal data under articles:

- 6(1)(b) Necessary for the performance of a contract with the data subject or to take steps preparatory to such a contract
- 6(1)(c) Necessary for compliance with a legal obligation,
- 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.

What we do with it

The information you provide will form part of an electronic file of submitted application to be considered for a future contract.

The tender process is managed by the corporate Procurement Team. Relevant sections of the documentation are made available to the tender evaluation panel that may include our appointed professional advisors, other parties to the contract and the Finance Team.

This information is held in a secure area of the network until the tender submissions of the unsuccessful suppliers are deleted in accordance with our Procurement document destruction policy.

The tender information from the supplier awarded the contract is used to create the final contract. At this stage any personal data is redacted in the final contract.

Sharing your information

There are a number of 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 share your information with approved professional advisors (Ridge and Partners LLP) who have been appointed to support any tendering activity or contract management arrangement.

Over 50% of our supply contracts are awarded through joint tenders with other public bodies or via framework agreements that have been set up for use by public sector organisations.

If a joint tender opportunity has been advertised we will share tender responses with a joint evaluation panel, for example with our collaboration partners Thames Valley Police (TVP), Buckinghamshire and Milton Keynes Fire and Rescues Service (BMKFRS), Oxfordshire Fire and Rescue Service (OFRS)/ Oxfordshire County Council (OCC) and South Central Ambulance Service.

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 the Public Contract Regulations 2015 and the RBFA Contract Regulations, which determine the length of time records should be kept.

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The specific timelines that we keep this information for is as follows:

Information regarding the successful bidder is held for 6 years following the end of the contract and any contract extension period. Where a contract has been sealed the contract is retained for 12 years after the contract has been fully discharged.

For unsuccessful bidders their tender submissions are destroyed 12 months after the contract commencement date. All records are stored in accordance with our document retention policy.

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

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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

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