



Investigation of Fires

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.

Personal data is processed in accordance with the Data Protection Act 2018 (DPA) and the United Kingdom General Data Protection Regulation (UK GDPR).

What information we collect about you

Members of the Public:

Name, Address, Telephone number, email address, age/DOB, gender, marital status, ethnicity, occupation, injury and health details, vehicle details, housing status, lifestyle details, Safeguarding/vulnerable persons concerns, images, historical incident information, witness statements opinions and observations or facts relating to incidents.

External Organisations and Agencies:

Name, role, organisation, work address, work contact details, images, witness statements, opinions and observations or facts relating to incidents.

RBFRS Staff:

Name, role, work contact details, service number, images, witness statements, opinions and observations or facts relating to the incidents.

Why we need it

To gather appropriate evidence and document relevant information necessary to investigate* the circumstances surrounding certain incidents and to determine a most probable cause.

*Tier 1 routine fire investigations or Tier 2 complex fire incidents where the origin or cause is not easily established



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 we collect special category data: Article 9(2)(b) – Necessary for the carrying out of obligations under employment, social security or social protection law, or a collective agreement and 9(2) (g) – Necessary for reasons of substantial public interest on the basis of domestic law which is proportionate to the aim pursued and which contains appropriate safeguarding measures.

(Fire and Rescue Services Act 2004 (Sections 6, 7 & 45), Fire Service Circular 1-2006 (Investigation of Fires - Non-Accidental), Police Act, Crime and Disorder Act)

What we do with it

Details and Information/Evidence is recorded within our Incident Recording System and in Contemporaneous Notebooks used by the Fire Investigation Officers, Incident Commanders and crews, which will then be managed and retained confidentially by the Fire Safety Legal, Technical and Enforcement Team and Legal Secretary. This will either be stored physically within the secure Legal Office with physical and electronic logging of the information or will be stored electronically within RBFRS secure systems.

Sharing your information

RBFRS currently have a Service Level Agreement with West Midlands Fire and Rescue Service to carry out accidental Tier 2 Fire Investigations within Berkshire. RBFRS are also within a collaborative project with the Thames Valley Forensic Fire Investigation Unit to carry out deliberate Tier 2 Fire Investigations within Berkshire. Any data collected by these Services is not shared without the relevant requests through RBFRS and approval of the Fire Safety Legal, Technical and Enforcement Hub. Information from the Unit is only shared with Thames Valley Police once the relevant requests are made to RBFRS (a completed Police Form requesting disclosure of personal data under Schedule 2 Part 1 Paragraph 2 of the Data Protection Act 2018 and GDPR Article 6(1)(d); signed and authorised by a senior police officer). Personal data would not be shared unless there is a lawful obligation to provide it.

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 have a requirement to share certain formally requested data with the Police, Crime Scene Investigators, Crown Prosecution Service and Coroner's Office, to assist them in their enquiries or investigations/Inquests.

We have also entered into a contract whereby Fire Investigation Officers can also request the technical and professional support by Bureau Veritas Scientific Services. They provide phone advice, carry out joint fire incident investigations and carry out scientific examination of equipment to identify fire cause.

We also may share some details at National Fire Investigation Forum meetings, Regional Fire Investigation Forum meetings and NFCC Fire Investigation Workplace Forums and within the Royal Berkshire Fire Investigation Team members, however, unless there is a legal obligation to provide your personal data, it will not be disclosed and only discussed in generic terms.

Fire Investigating Officers work collaboratively with individual private insurance investigators - no personal data is transferred and discussed in generic terms to establish probable cause.

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 UK 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 Economic Area (EEA).



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 when a formal fire investigation has been carried out will be retained for six (6) years after the last action has been completed on the Case.

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 UK 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.

Further information about your individual rights is available on the [Information Commissioner's Office \(ICO\) website - your data matters](#).

Who to contact

Our Data Protection Officer can be contacted via:

Email: DataProtection@rbfrs.co.uk



Telephone: 0118 945 2888

Write to:

Data Protection Officer
Royal Berkshire Fire and Rescue Service
Newsham Court
Pincents Kiln
Calcot
Reading
Berkshire
RG31 7SD

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):

[ICO Website - make a complaint](#)

Write to: ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Telephone: 0303 123 1113

October 2023

ROYAL BERKSHIRE
FIRE AND RESCUE SERVICE

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