



Business Fire Safety and Enforcement

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

The personal information we are likely to collect for undertaking fire safety audits, inspections and enforcement activities would be:

- Contact details of the responsible person, accountable person or principal accountable person for a business/commercial premises such as name, postal address, email address and telephone number
- Personal information such as ethnicity, first language and gender
- Contact details of landlord / property owner such as name, postal address, email address and telephone number
- Contact details of people who are giving witness statements and/or victim personal impact statements such as name, postal address, email address, telephone number and any personal, sensitive or special category data included within the statement, such as information relating to age, health, religious belief, lifestyle or emotional impact
- Licensee details and contact information for businesses such as a House in Multiple Occupation (HMO)
- Name and contact details of those subject to prosecutions under the Regulatory Reform (Fire Safety) Order 2005 and Fire and Rescue Services Act 2004
- Contact details of staff from third party organisations involved in the business fire safety process
- Name and contact details of people that raise business fire safety concerns/complaints or who may contact us for fire safety advice such as members of the public

This information may be provided to us by individuals, local authorities, surveyors, architects, solicitors, management companies, members of the public, and other enforcing authorities.

Note: the majority of information collected and used for business/commercial fire safety is not personal information.



Why we need it

We need your information to carry out our statutory duties, under the Regulatory Reform (Fire Safety) Order 2005, Fire Safety Act 2021 and the Fire Safety (England) Regulations 2022 to include:

- to undertake fire safety audits and inspections in premises subject to the above regulation
- to ensure that our premises records remain up to date, including risk information for operational firefighters
- issue statutory notices for alternations, prohibitions, enforcement and prosecutions (including simple cautions)
- consultation on building regulations / licensing applications
- to deal with public concerns about fire safety in business/commercial premises
- to promote fire safety advice and guidance
- for survey purposes to gain your opinions and feedback about our service delivery and to evaluate the effectiveness of our provision

Our legal basis for processing

Under the UK General Data Protection Regulation (UK GDPR), we are able to process your personal data under article 6(1)(c) necessary for compliance with a legal obligation, and 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.

We process Special Category Data under article 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.

[\(Regulatory Reform \(Fire Safety\) Order 2005, Fire and Rescue Services Act 2004, Fire Safety Act 2021, Fire Safety \(England\) Regulations 2022, Building Safety Act 2022\)](#)



What we do with it

Your information is held electronically against the premises ID on our Incident and Building Information System (IBIS) and will be used by relevant staff to undertake their role/duties.

Risk information relating to operational firefighting will also be held electronically on our mobile data terminals (MDT) on fire appliances and will be used by relevant staff to undertake their roles.

Under the Environment and Safety Information Act 1988 we are obliged to maintain and publish a public register of Alteration, Prohibition and Enforcement action, referred to as an Enforcement Register. Publication of this information is via the National Enforcement Register which is operated by the [National Fire Chiefs Council \(NFCC\)](#).

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

If we consider prosecution/taking further action, all documentation relevant to the case will be disclosed to our appointed legal team.

Your information will be shared with the organisations listed below as well as others involved in the business/commercial fire safety process, such as local authorities, other enforcement agencies, licencing bodies, surveyors, architects, solicitors, management companies and other agencies.

- Hampshire & Isle of Wight Fire & Rescue Service for Fire Engineering
- West Berkshire Council Legal Team
- Building Safety Regulator

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:

Business Fire Safety and Enforcement will be retained for: six (6) years after last action and then reviewed for destruction.

[NFCC Enforcement Register](#)

Entries will be kept on the register for a period of not less than three (3) years from the date on which the notice was served or for as long as they remain in place. If the status of a notice changes, for example it is 'withdrawn' or 'complied with', the register will be updated to reflect these changes.

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 data protection legislation, you have rights including:

Your right of access - You have the right to ask us for copies of your personal information.

Your right to rectification - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure - You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing - You have the right to ask us to restrict the processing of your personal information in certain circumstances.

Your right to object to processing - You have the right to object to the processing of your personal information in certain circumstances.

Your right to data portability - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

The rights available to you depend on our reason for processing your information.

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.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

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 - for the public](#).

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

April 2025

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FIRE AND RESCUE SERVICE

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