

# **FAIR PROCESSING AND PRIVACY NOTICE**

## **Emergency and Non-emergency calls / Radio messages / Operational incident management**

### **Who we are and our contact details**

Leicestershire Fire and Rescue Service (LFRS) [us/we/our] are a Public Authority and the Data Controller for determining the purpose and means of processing your personal data. Personal data means any information about a living individual who could be identified. You can contact us:

**Address:**

The Data Protection Officer,  
Information Governance Department,  
Leicestershire Fire and Rescue Service Headquarters,  
12, Geoff Monk Way,  
Birstall,  
Leicester

LE4 3BU

**Email:**        **dpo@leics-fire.gov.uk**

**Telephone:**  0116 210 5555

Or via our **Social Media Channels** – See our Website Homepage for links:

[Data Protection, Your Privacy & Website Cookies \(leics-fire.gov.uk\)](https://www.leics-fire.gov.uk/Data-Protection-Your-Privacy-Website-Cookies)

## **Why we collect and how we use your personal data**

This privacy notice relates to Leicestershire Fire and Rescue Service Control Room and our operational response that operates 24 hours every day and is designed to help you understand how and why your information is processed during an emergency call and also during the fire service responding to an incident. It also covers information obtained during non emergency calls received and made from the Control Room.

### **999 Calls and emergency incidents**

All calls that are made in and out of our Fire Control Room are recorded, including 999 calls. They are recorded so that they can be played back if we need to check information recorded in order to carry out tasks required to locate and attend emergency and non-emergency incidents.

When you call 999 it is vital that your number is recorded by Fire Control, so that we can contact you again if we need further information from you during the incident or later for the purposes of fire investigation.

Even if you have barred the 'calling line identity' facility, your telephone number will be displayed to the telephone exchange operator. This is a safety feature to enable us to ascertain an approximate location of the emergency.

Sometimes the audio call recordings are shared with the Police for the detection of crime and apprehension and prosecution of offenders; and used as evidence in court cases. No warning is given that the calls are recorded at the time of making the call as this would obviously cause delay in an emergency situation.

### **Why do we need to process your information?**

Under the Fire and Rescue Services Act 2004, Leicestershire Fire and Rescue Service have a statutory duty to extinguish fires and protect life and property in the event of fire and road traffic collisions. We also have a responsibility, where necessary, to attend emergencies other than fires and

road traffic collisions. It is a legal obligation for us to make arrangements for dealing with emergency calls for help and summoning personnel. If we did not collect and use this information, we would not be able to effectively provide an emergency response. The personal data we are likely to collect during a 999 call or at an incident include;

- Your telephone number and name where required
- The address of the incident, which may be the address of your residential property; or a commercial sole trader
- Injured parties' names, injuries, details of any medical support given, age and Gender
- Other third parties' names and contact details

We may need to collect and use sensitive information, such as health details, where this is necessary to meet our obligations. In order to make arrangements to respond to an incident we are required to obtain certain information. When you call 999 we collect and use your details and information regarding the incident to assist with our duty to protect and preserve life and deal with incidents that cause or likely to cause harm to the environment. At the incident, we will collect details of injured people and those with building management responsibility.

We also have powers to investigate causes of fires, and any information gathered during the emergency call could be used during the investigation.

During a response to an incident, information may be passed to partner agencies who are also attending, such as other emergency services or utility companies. We may collect health or medical information to support the ambulance service in providing care to you, in order to protect your vital interests.

Following an incident, we may send an 'After the Incident Feedback Card' to the premises and ask that it is completed and returned so that we can monitor the service that's been provided. The information provided will only be used to ensure that we are providing a good level of service to our diverse communities. If you express dissatisfaction with the Service we will use the

incident number to review our records of what happened and identify if we can make any improvements in the future. All published reports using the information will be anonymous - names are not included. We published information relating to this in a specific privacy notice that is available on our website.

### **How will my personal data be used?**

The 999 call is directed to Leicestershire Fire and Rescue Service Control Room, and the caller is asked numerous questions regarding the incident. During busy periods the call may be taken by a joint control room that services Nottinghamshire Fire and Rescue Service and Derbyshire Fire and Rescue Service. Formal agreements are in place with our neighbouring fire services to ensure your privacy is protected should they have a need to process it.

We collect information such as the address where the emergency is, what is on fire, or what other emergency you have, to enable us to decide what our response will be, for example, how many fire engines we will send and what type they are.

We may then gather other valuable information from the caller which will be passed on to the operational crew while they are travelling to the incident. This information may include things such as do you know if anybody is trapped and their whereabouts? Whether there are hazards such as an oil tank or gas cylinders near the fire or incident? How many vehicles are involved in the collision?

We may need to know a caller's name and address. This can be used as a guide to where the incident has been seen from and to enable the crew to locate the original caller if there are any difficulties locating the incident. We would also ask a caller's name if they were the one trapped by fire or involved in another incident.

After the incident certain information is entered into our Incident Recording System (IRS). The information is recorded against an incident number not an individual's name. Names are only included for serious injuries or fatalities and the person completing the form. We published information relating to this in a specific privacy notice that is available on our website.

The information gathered is used to report to the Home Office, manage our performance, inform our Integrated Risk Management Plan which is a requirement of the National Firefighter Framework and report to Government and auditors.

### **Why do we need to record non emergency telephone calls?**

- The call could be upgraded to an emergency call and therefore there may be a need to review information given again after the caller has cleared
- Audit purposes – e.g. vehicles availability, staff sickness reporting, reports of injuries of our staff whilst on duty, crewing of fire appliance information (staffing)
- Fault reporting and resolution
- For the protection of our staff who make operational decisions that may be subject to post event challenge in order that future learning and policy is reviewed when required
- Outgoing calls to our emergency and non emergency partners
- Complaints and concerns – to enable information to be available for investigation purposes
- Privacy by design does not allow selective recording therefore all calls are recorded regardless of purpose and content.

### **Why do we need to record radio messages?**

All radio messages from operational crews at incidents made into Fire Control and responses made out of our Control Room are recorded. They are recorded so that they can be played back if we need to check information in order to carry out tasks required by us to manage an incident.

They are also used for post incident audit, that is debriefs to assess our performance and to determine where we can do things better.

### **Who will have access to the information we collect during an incident?**

All information gathered during the incident is stored on the Fire Control mobilising system(s), with access restricted to those who need it to perform their role, including the Fire Control Room staff in Leicestershire Fire and Rescue Service, Derbyshire Fire and Rescue Service and Nottinghamshire Fire and Rescue Service.

There may be occasions where it is identified that a multi-agency response is required, and relevant details about the incident may be disclosed to other parties to enable their emergency response.

Information regarding the incident is shared with operational crews to help assist with deployment and their response. Verbal and electronic messages will continuously be relayed between operational crews and Fire Control to ensure an effective response to the incident is provided.

There may be occasions where the information we have gathered during an incident, including our response, is disclosed to other agencies upon request. For example, the Police may be investigating the cause of an incident and they require certain information for the prevention and detection of crime or apprehension of an offender, this could include the details of the caller. The Health and Safety Executive may be investigating an incident and require the information. In the unfortunate circumstances of a fatality, the Coroner will request that we disclose certain information for them to take into consideration during a Coroner's Inquest. We will not rely on your consent to disclose this information, as we will have another legal basis that can be relied upon such as legislation.

We receive requests for copies of the incident reports and fire investigation reports, and these are disclosed to members of the public or to solicitors, insurance companies and loss adjusters who are acting on behalf of the owner/occupier of an affected property or vehicle. Information can also be provided to someone acting on behalf of an individual who has been recorded on the incident record as being injured as a result of the incident. Necessary identification will be requested to ensure information is not disclosed inappropriately and personal data removed if the person requesting the information is not lawfully entitled to receive it.

To support community safety messages we may also use general incident information without names and identifying details (so it is depersonalised).

## **The types of personal data we collect and hold**

Commercial sole traders

Community

Contractors

Consultants

Other Fire and Rescue Services

Other Blue Light Emergency Services

Our employees

Our temporary staff including Intern and Agency

Our Volunteers

Our apprentices

Partner Authorities/Organisations

Suppliers / Service Providers

## **Our lawful basis for processing your personal data**

LFRS has due regard to the Data Protection Act 2018, the UK General Data Protection Regulation (UK GDPR) and any subsequent data protection legislation.

The lawful basis for processing is set out in Article 6 of the GDPR. At least one of these must apply whenever the Service is processing your personal data. What we apply depends upon our processing activity, we may use:

**Consent:** you have given clear consent for us to process your personal data for a specific purpose.

**Contract:** the processing is necessary for a contract we have with you, or because you have asked us to take specific steps before entering into a contract.

**Legal obligation:** the processing is necessary for us to comply with the law (not including contractual obligations).

**Vital interests:** the processing is necessary to protect your or someone else's life.

**Public task:** the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law – carrying out our statutory duties.

**Legitimate interests:** the processing is necessary for our legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (Note: This cannot apply if we are processing data to perform our statutory functions)

We also process Special Category Personal Data (sensitive personal data), for example this may relate to a person's race, disability, or health. The lawful basis for processing are set out in Article 9 of the GDPR. In addition to the above, at least one of these will apply whenever the Service is processing sensitive personal data:

- Your Explicit consent
- Employment, social security and social protection (if authorised by law)
- Vital interests
- Not-for-profit bodies
- Made public by you the data subject
- Legal claims or judicial acts you or we are engaged in
- Our reasons of substantial public interest (with a basis in law)
- Health or social care (with a basis in law)
- Public health (with a basis in law)
- Archiving, research and statistics (with a basis in law)



## Who we share your personal data with

- Other blue light emergency services, for example the Police and Ambulance so we can respond to incidents
- Commercial, military or civil organisations where there is legitimate interest or in carrying out our statutory duties
- Public utilities, for example to cut off a gas supply in an emergency
- Local councils
- Welfare organisations, if you agree to your information being shared unless in a 'life or death' situation or where you are at risk of significant harm
- Central government, for example anonymised information about our activities used for national fire statistics
- Courts and law enforcement, prosecuting authorities, solicitors
- Insurance companies and loss adjusters where they are authorised to act on your behalf following an incident at your property
- The Department for Work and Pensions, other local authorities, Her Majesty's Revenue and Customs, and the Police for criminal matters.

LFRS will in certain circumstances disclose your personal information if required to do so by law or in the good faith belief that such action is necessary to:

1. Conform to the edicts of the law or comply with legal process served on LFRS
2. Protect and defend the rights or property of LFRS
3. Act under exigent circumstances (an emergency situation requiring swift action to prevent imminent danger to life or serious damage to property, or to forestall the imminent escape of a suspect, or destruction of evidence) to protect the personal safety of users of LFRS, or the public.

We may share information and records of non-employees with relevant third parties when there is a legal basis to do so, this includes their employers or agents.

We may share appropriate personal information relative to a claim with our protection provider (Fire & Rescue Indemnity Company Limited), their managers and our insurers. We may also share your personal information with other people and organisations in connection with any legal claim made against us.

## **How we store your personal data and how long we keep it**

Your personal information is securely stored at our premises with access limited to only those who have a need to process your information and those who administer our systems. We also store information in the 'cloud' and have contracts in place with those who supply these services to us, which include security and data protection clauses to keep your personal data safe.

How long we retain the information depends on the purpose it was collected for. We keep:

- All call recordings for the current year plus five years.
- Incident data on the mobilising system for the current year plus ten years.
- Information on the Incident Recording System is held for 70 years allowing the Home Office analysts to perform useful longer term trend analysis into the drivers of change.
- Information collected during our operational incident management may be subject to different retention periods. These are recorded on our Information Retention Schedules for our various Service departments processing activity.

## **Your individual rights**

In general, you have the right to request that LFRS:

- Provides you with details of your personal data held, gives access to you and where appropriate provides you with a copy of your personal information

- Corrects any errors in your personal data we find during our business processes, or are informed of and restrict processing of your personal data until completed
- Considers your objection to the processing of your personal data and depending upon the service and legal basis, stops all or some of that processing. "Processing" means the collecting, storing, amending, disclosing, sharing, archiving and destruction of your data
- Erases your personal information, depending on the service and legal basis deletes all or some of your personal data
- Withdraw your consent for us to further process your personal data, if consent is used by us as the legal basis for the service
- Informs you any of automated decision making, including profiling for the service (Note: Please be advised we do not currently use automated decision making)

Where possible we will try to meet your request, but we may need to retain or process information to comply with a legal duty or our policies and procedures.

## **Data Protection information, requests and concerns**

If you would like to exercise your individual rights or discuss anything in this Privacy Notice, please contact our Data Protection Officer (DPO) – See top of page 1.

If you have concerns about the use of your personal data we encourage you first to contact our DPO as concerns can often be resolved very quickly. If you remain concerned then the Information Commissioners Office is an independent body set up to uphold information rights in the UK. They can be contacted through their website: [www.ico.org.uk](http://www.ico.org.uk) or their helpline on 0303 123 1113, or in writing to:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow

Cheshire  
SK9 5AF

For more information about your rights: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protectionregulation-gdpr/individual-rights/>

To complain to the Information Commissioner's Office:  
<https://ico.org.uk/concerns/>

## **Review**

Revised July 2023.

Next review July 2024.