

# **FAIR PROCESSING AND PRIVACY NOTICE**

## **Fleet Monitoring System (FMS)**

### **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](mailto: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 \(leics-fire.gov.uk\)](#)

## **Why we collect your personal data**

This Fair Processing and Privacy Notice describes the types of information we collect about your vehicle journeys and driving habits, what lawful basis we are applying, how your data is used by the Service, why we share it with others, how you can manage the information we hold and how you can obtain further information about your personal data processing.

## **The categories of individuals**

Our employees

Temporary employees including Intern and Agency

Apprentices

Community

Contractors

## **The personal data we collect**

We automatically collect information about you and your vehicle usage in a vehicle data collection system device that automatically collects and stores data on board on a memory card, and also in the third party system provider database. The personal data we collect is:

- Name of user
- Individual identification number (allocated to a fob)
- Miles driven
- Details of journey
- Location
- Date and time of journey
- Purpose of journey (business or private), blue light or non-emergency
- Vehicle handling data (braking, steering, speed, acceleration)
- Suggested opinion on driving habits base on algorithms using the vehicle handling data

- Fuel consumption
- Vehicle registration number (Officers / Other private users such as Fire Protection, Community Safety)
- Driving qualifications

We only collect information, which is necessary, relevant, and adequate for the purposes above.

## **How we use your personal data**

We collect personal information about you for the following purposes:

- To make appropriate fleet management decisions
- To calculate the private mileage costs and tax implications for provided vehicle users in order to satisfy His Majesties Revenue and Customs (HMRC)
- To identify the driver and help establish the facts to provide the correct information to any relevant person or body that has a legitimate reason to require it. This is to manage complaints, carry out investigations such as vehicle accident, Health and Safety or disciplinary; also Notices of Intended Prosecution, insurance claims or other management processes
- To identify drivers requiring additional training or practice
- To monitor the driving miles of Light Goods Vehicle (LGV) drivers
- To report mileage figures of all fleet vehicles to our insurers
- Management of fuel
- To improve the accuracy of emergency response road speed data held within the Services Command and Control system for IRMP planning purposes
- To provide data to support Road Risk Management for insurance and business purposes
- To provide a means of tracking stolen vehicles by live location, or where there is a genuine concern over one of our employees

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis or exemption in law which allows us to do so.

## **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. We also are required as a Public Authority with UK tax law, this also applies to our employees who use our vehicles for their private use.

The lawful basis for processing are set out in Article 6 of the UK GDPR. At least one of these must apply whenever the Service is processing your personal data:

**Article 6(1)(b) Contract:** processing is necessary for the performance of a contract to which you are party to or in order to take steps at your request prior to entering into a contract. Example of this is your contract of employment;

**Article 6(1)(c) Legal obligation:** the processing is necessary for us to comply with the law (not including contractual obligations). This includes our legal obligations under HMRC Taxation regulations - For the assessment or collection of any tax or duty. Also, The Health and Safety at Work Act 1974 – When carrying out our responsibilities as an employer that ensures your safety and wellbeing as an employee and that of others employed and not employed by the Service when driving our vehicles.

**Article 6(1)(f) 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. For example, recovery of our costs associated with vehicle insurance claims.

## **Storing, securing, and managing the lifecycle of your data**

We do not retain personal information in an identifiable format for longer than is necessary. The period that your information is retained for varies according to statutory requirements and other legitimate business reasons. We have set out these retention periods within our Corporate Information Asset Register. Typically we will store your personal data and vehicle data for 7 years from when it is collected and then securely dispose of it.

Your personal information and vehicle data is maintained securely at all times by the staff with responsibility for such records and the third party system provider. We apply access control to ensure that only authorised staff are able to access your personal information and they only access the minimum required to carry out their tasks. Data can only be accessed using the dedicated software.

We have an agreement with our third party system provider to keep your data safe and secure when it is stored in their locations. They follow the same data disposal rules as the Service and additionally will permanently remove your personal data from their storage locations when we ask them to do so or when our contract with them ends.

## **Who we share your personal data with**

We may disclose your information:

- To other staff in connection with the purposes outlined in this notice
- To other data controllers and third parties when there is a lawful or fair and justified reason to do so. You will be informed when this happens, subject to lawful restrictions. For example, to the Service's insurers because of a claim being made by you or a third party with whom you have been involved
- When we need to take legal advice for initiated or prospective legal proceedings

- By law, when we are obliged to provide the information requested. For example, to HMCRS.
  - In the course of investigations for vehicle accidents, Health and Safety, disciplinary, grievance or other investigations of a similar nature
  - If you have given us your consent to disclose to a third party
  - If your vehicle is stolen, information from live vehicle movement tracking may be shared with the Police in near real time
- Note: Live vehicle tracking will not be used unless there is a risk to life or property or criminal investigation purpose.

## **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.