

FAIR PROCESSING AND PRIVACY NOTICE

Employee

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. We recognise the importance of protecting personal and confidential information in all that we do and take care to meet our legal, moral and ethical duties. We put in place all reasonable technical, security and procedural controls required to protect your personal data for the whole of its life cycle. Our Personal Data Policy outlines what we aim to do, our personal data Service Procedures and guidance detail how our employees and those who we engage the services of under contract can support compliance with the policy aims.

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 \(leics-fire.gov.uk\)](#)

Why we collect your personal data

This data protection Fair Processing and Privacy Notice relates to the personal data that Leicestershire Fire and Rescue Service (LFRS) processes about you as your employer. Processing means the collection, recording, storage, use, sharing, archiving and deletion of your personal information.

This is to help you understand why we need to process personal data about you during recruitment and selection, throughout your employment with us and for a period of time after your employment has ceased. It also explains how its use is compliant with current data protection legislation.

The categories of individuals

Employees

Temporary employees including Intern and Agency

Volunteers

Apprentices

Community

Consultants

Contractors

The personal data we collect

Includes:

- Identifiers such as your name, address, date of birth, Service/employee number and national insurance number;
- Your contact information including telephone numbers, living address(s), email address(s); and that of others you share with us (such as your next of kin, beneficiaries and Doctor);
- Your social media identifiers;
- Employment and qualification details;
- Disclosure and Barring Service (DBS) check results;
- Salary and wages information including your bank details for payment;
- Membership of representative body (subscription);
- Tax and pension details;
- Contractual details relating to terms and conditions of service;
- Equality, Diversity and Inclusion (EDI) information for monitoring purposes;
- Disability;
- Sickness and absence detail;
- Health and well-being information;
- Clinical records we have originated or obtained relating to your Occupational Health;
- Measurements (for uniform and personal protective equipment);
- Height/weight/Blood pressure/Vision test results/Lung function test results/Drugs test results/Audiometry test results (medical);
- Moving images (Video and audio) and photographic images;
- Driving license status;
- Vehicle registration number;
- Location/Journeys made (Fleet Management System);
- Opinions and decisions about you;

How we use your personal data

- Recruitment and selection;
- Contract of employment and onboarding;
- The administration of your salary, wage, pension, sickness, maternity, travel / subsistence payments and any other monies;
- Your health and well-being;
- Your safety;
- Security including personal identification;
- Your training and development requirements;
- Employee relations. Such as human resource planning, conduct, Equality Diversity and Inclusion (EDI), employee consultation, personal appraisals, professional development, disciplinary and grievance issues;
- The assessment and arrangement of insurance cover where this is required, such as for car leasing purposes;
- The operational, day to day management and administration of employees by line managers;
- To ensure that we can maintain our Operational Response capability in meeting our purpose of 'Safer People, Safer Places';
- To ensure sufficient resources with the required skills are available to perform the functions and statutory duties as published in the Fire and Rescue Services Act 2004;
- To ensure sufficient resources with the required skills are available to perform the functions and statutory duties as published in the Regulatory Reform (Fire Safety) Order 2005;
- To ensure sufficient resources with the required skills are available to meet our responsibilities as published in other legislation relevant to the Fire and Rescue Service and the role we play in working with our partners and delivering services to our communities;

- For access control to our premises, car parks and other automated equipment/systems.

We keep and use this information to manage our relationship with you fairly, lawfully and transparently.

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 and codes of best practice. 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)(a) Consent: you have given consent to the processing of your personal data for one or more specific purposes;

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. An 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 the Health & Safety at Work Act 1974;

Article 6(1)(d) Vital interests: processing is necessary in order to protect your vital interests or of another natural person;

Article 6(1)(e) Public task/Statutory Duty: the processing is necessary for us to perform a task in the public interest or for our official functions as a Fire and Rescue Service, and the task or function has a clear basis in law. Some of the tasks performed by the Service are published in the Fire and Rescue Services Act 2004;

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.

We also process your special category personal data (also known as sensitive personal data), this relates to your:

- Racial or ethnic origin;
- Political opinions;
- Religious or philosophical beliefs;
- Trade union membership;
- Genetic data and biometric data processed for the purpose of uniquely identifying you;
- Data concerning your health and wellbeing; and
- Data concerning your sexual orientation.

The lawful basis for processing your sensitive personal data is set out in Article 9 of the UK GDPR. In addition to one of the conditions set out in Article 6, at least one of these must also apply whenever the Service is processing your sensitive personal data:

Article 9(2)(a) Consent: you have given explicit consent to the processing of your sensitive personal data for one or more specified purposes;

Article 9(2)(b) Our rights as an employer in the field of employment: processing is necessary for the purposes of us carrying out our obligations and exercising our specific rights as the personal Data Controller in the field of employment and social security and social protection law;

Article 9(2)(c) Vital interests: processing is necessary to protect your vital interests or of another natural person where they (the data subject) are physically or legally incapable of giving consent;

Article 9(2)(d) Legitimate interests: processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political,

philosophical, religious or trade union aim and on condition that the processing relates solely to you and that your personal data is not disclosed outside that body without your consent;

Article 9(2)(e) Information you have made public: processing relates to personal data which has been manifestly made public by you;

Article 9(2)(f) Defense of legal claims: processing is necessary for the establishment, exercise or defense of legal claims or whenever courts are acting in their judicial capacity. This includes that relating to information, people, property and vehicles;

Article 9(2)(g) Substantial public interest: processing is necessary for reasons of substantial public interest;

Article 9(2)(h) Processing by a Health Professional: processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services;

Article 9(2)(i) Public Health: processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices;

Article 9(2)(j) Research: processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with UK GDPR Article 89.

Storing and managing the lifecycle of your data

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.

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 Register Of Processing Activities (ROPA) and they are published in our Departmental Information Retention Schedules.

The ROPA and our information Retention Schedules are published on our Service Intranet on Microsoft teams/Sharepoint and outside of this can be made available by request to our DPO.

How we keep your personal data safe

We carry out Data Protection Impact Assessment's (DPIA's) to identify the privacy risks of our data subjects (an employee is a data subject) and consider 'privacy by design' features in our information systems and our processes. Our information systems are secured using multiple security levels including passwords (multi factor authentication) and can only be accessed by those who have been authorised by us to use them.

All of our staff receive initial mandatory data protection training which is refreshed every two years.

We have robust Policies, Service Procedures and guidance in place to support the technical measures we apply to help safeguard your personal data.

Who we share your personal data with

Your privacy is protected by law, which says that we can share your personal data only if we have your consent (permission) or other lawful reason to do so including legal exemption. The reasons why we may disclose your personal data to others (third parties) are:

- To provide contact details internally within the Service, to other local public sector organisations such as local authorities, health trusts, other Fire and Rescue Services or business partners where

this is relevant and appropriate to your role and position via public directories containing information about services we provide;

- To other staff in connection with your employment;
- Other parties processing your personal data on our behalf that administer salaries, pension, payroll and other monies and for accounting/budgeting purposes – we term these Data Processors;
- To our Occupational Health Unit for wellbeing and health monitoring and treatment Services provided by them such as physiotherapy or counselling.

We will only make other non-routine disclosures:

- By law, when we are obliged to provide the information requested. For example, to the Inland Revenue or Asylum and Immigration Office;
- By law, to support national fraud initiatives (NFI). For example, to the Audit Commission - this may involve your information being used in data matching exercises, we will advise you when such exercises are to take place;
- To prevent and detect fraud/crime – we are under a duty to protect the public funds we administer and may use information you have provided for this purpose. We may also share information with other bodies administering or in receipt of public funds solely for this purpose;
- For the assessment or collection of any tax or duty when we need to take legal advice for prospective legal proceedings. For example, to our insurers because of a claim being made by you or a customer/client with whom you have been involved as an employee;
- In the course of disciplinary, grievance or other investigations of a similar nature;

- To recover any monies you may owe the Service. Note that we have an expectation that as an employee you will not incur debts on the Service;
- If you have given your consent for us to do so.

We will never share or sell your personal data to external companies for marketing purposes.

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 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.