

FAIR PROCESSING AND PRIVACY NOTICE

Still and Moving Images (Includes photographs, video, audio)

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)

Why we collect your personal data

We collect your personal information:

- To educate and inform staff and communities
- To recruit staff
- To promote the wide range of work we are involved with
- To promote safety campaigns
- To recognise the achievements of our staff such as individual and team Awards, LFRS and Public Commendations, Long Service and Good Conduct
- When LFRS engage in work in our communities and charity fund raising
- To publish in our Corporate Plans and publications
- To issue Service wide messages to our staff and community (Vlog)
- For identification and security purposes including identification badges and warrant cards (statutory duty)
- For training purposes
- For fire investigation purposes
- For commercial Fire Safety Enforcement, Prohibition and Prosecution [The Regulatory Reform (Fire Safety) Order 2005 / PACE Code B 2013]
- For meetings of the Combined Fire Authority, which are video recorded and uploaded to our 'YouTube' channel for public viewing

The categories of individuals

Employees

Temporary employees including Intern and Agency

Volunteers

Apprentices

Partner Authorities/Organisations

Suppliers / Service Providers

Community

Consultants

Contractors

The personal data we collect

The types of personal data that we collect:

- Still images (including photographs)
- Moving images including voice recordings, video and 'You Tube' footage

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);

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)(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) Defence of legal claims: processing is necessary for the establishment, exercise or defence 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;

All LFRS staff ensure that anyone being photographed or filmed is aware of this. We ask permission when taking images of members of the public in which they are clearly identifiable. In particular, when taking photographs of those under the age of 18, staff will gain written consent from their parent, guardian or carer. However, gaining permission is not always practical at large events such as at large meetings, Fire Station open days and public events; neither is gaining permission of those in the background of a photo or moving image. On such occasions, we will use signage such as posters or leaflets and display them to inform members of the public that photographs are being taken and moving images captured. If someone does not wish for their image to be used, we request that they try to stay out of shot where possible.

If you believe you may have been photographed or videoed and would rather not be, please inform the person capturing the images on the day who will determine if they can be deleted, anonymised or whether they need to be retained for a lawful purpose. After the event you can withdraw your consent at any time by contacting our DPO via email: dpo@leics-fire.gov.uk or telephone: 0116 210 5555. You will need to provide a date, location (and/or event name) and description of the photo/image to help them find it and delete it. Please be aware that it is not always possible to recall all instances of a photo once it is published for practical reasons.

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.

Who we share your personal data with

We may publish still images or moving images via our internal staff intranet site or public LFRS website, YouTube channel, social media, or on leaflets, publications or press releases. We do this to help with promoting our work, duty of openness and transparency, recruitment, press and journalism, training and debrief, promoting safety messages and encouraging engagement with the Service.

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

All images are securely stored on LFRS servers and access is restricted to the Corporate Communications Team and others who may need to use images to carry out their duties. 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.

All rights to the images belong to LFRS. Images may be cropped or modified for quality or combined with other images, text and graphics.

They will be kept indefinitely for legitimate reasons (such as historical accounts of events and Fire Service history), along with any signed consent form, subject to not infringing on the rights and reasonable expectations of the individual.

Images posted on Social Media are not routinely deleted, but would be upon request.

All other still (e.g. photographs and screenshots etc) and moving images (video and audio) are retained in line with our Departmental Information Retention Schedules.

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-protection-regulation-gdpr/individual-rights/regulation-gdpr/individual-rights/>

To complain to the Information Commissioner's Office:

<https://ico.org.uk/concerns/>

Review

Revised August 2023.

Next review August 2024.