

# **FAIR PROCESSING AND PRIVACY NOTICE**

## **Protection, Insurance and Claims Handling**

### **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 your personal data**

We will collect your personal data if:

- you make claim against us, or we make a claim against you, which we deal with;
- we make a claim to our protection provider or our insurers which involves you;
- you are a witness to an incident where a claim is made.

We may collect your personal data directly from you or from other third party people such as a member of your family, your Doctor, Legal Executive, or employer.

## **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 personal data we collect about you may include but is not limited to your:

- name, postal address, telephone number(s) and email address
- date of birth and gender
- medical information, past and current, including medical records and reports
- disability information, including medical records and reports

- employment records (our employees) including sickness absence dates and reasons and National Insurance number
- employment records (non-employees) including sickness absence dates and reasons and National Insurance number
- vehicle registration number
- photograph and/or CCTV/video images of you or your vehicle or property
- your bank account details should we be liable for payment of costs or compensation to you

## **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 Protection of Freedoms Act 2012 and any other applicable law relevant to the processing of the claim.

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:

**UK GDPR Article 6(1)(a) Consent:** you the data subject has given consent to the processing of your personal data for one or more specific purposes;

**UK GDPR Article 6(1)(c) Legal obligation:** processing is necessary for compliance with a legal obligation to which the controller (LFRS) is subject;

**UK GDPR Article 6(1)(f) Legitimate interests:** the processing is necessary for our Legitimate interests pursued by the Service which means LFRS need to process this information to fulfil its objectives, we believe it will not adversely affect you and we think you would expect it.

The lawful basis for processing your Special Category (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)(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)(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;

We will only use personal information about your health and your medical records if you agree that we can by giving your consent. You can tell us at any time to stop processing your personal data by withdrawing your consent. You can write to us or email us. If you do tell us to stop using that personal data, this may affect any claim you may have against us.

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

We may share personal data and records of our employees, staff and 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 data relative to a claim with our protection provider (Fire & Rescue Indemnity Company Limited [FRIC]) and their managers (Thomas Miller Limited), and our insurers. We may share your personal data with other people and organisations in connection with a claim, such as our legal and medical advisers and loss adjusters. We may also share your personal data with other people and organisations in connection with the defence of any legal claim made against us, this will be with lawful basis that may or may not be by your consent.

When sharing your personal data we will use secure encrypted file share software to ensure it is protected against unauthorised access and personal data breach.

## **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 administer the system.

We keep claims related documents, which includes your personal data, for seven years from the date of settlement or closure of the claim, or such other statutory period relevant to the age of the claimant and/or the nature of the injury/disease if longer than seven years, we may decide to keep your personal data longer or permanently on a case by case base depending upon the nature and context of the claim.

When we no longer need to keep your personal information, we will delete it or destroy it securely.

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

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

## **Review**

Revised July 2023.

Next review July 2024.