

West Yorkshire Fire and Rescue Service Privacy Notice The Building Act 1984, The Building Regulations 2010 and The Building (Approved Inspectors etc.) Regulations 2010

How we value service users data and how we keep the data safe:

West Yorkshire Fire and Rescue Service (WYFRS) are committed to protecting your personal data and privacy. We recognise that ensuring the accuracy and security of your personal data is essential to retaining your confidence and trust. The information you provide to us will only be used for the purposes that you provide it and will never be used for third party marketing.

The Purpose of Data Collection:

We need your information to carry out our statutory duties and comply with a legal obligation under Section 15 of The Building Act 1984, The Building Regulations 2010, The Building (Approved Inspectors etc.) Regulations 2010 and the Regulatory Reform (Fire Safety) Order 2005.

There are two pieces of legislation which work in parallel during the Building Regulations approvals process and these are the Building Regulations and The Regulatory Reform (Fire Safety) Order 2005 (RRFSO). Under the Building Regulations fire safety requirements are given in Part B of Schedule 1 to the Building Regulations 2010 and cover means of warning and escape, internal fire spread linings and structure, external fire spread and access and facilities for the fire and rescue service.

The design and construction of building work is subject to checks by a building control body. The Applicant (person(s) intending to carry out the building work) can decide whether to apply to the local authority for the building control services or whether to appoint an approved inspector.

Where a building control body is formally engaged in checking the compliance of building work with the Building Regulations and the building in question is to be put to use to which the RRFSO applies or will apply after completion of the work there are statutory requirements to consult WYFRA at certain stages of the process. The aim of the approvals process is that there should be no need for extra building work to be undertaken at the end of a building project and before the building can be occupied for its intended purpose.

Designers, developers, building control bodies and occupiers of buildings are involved in the process which includes submission of plans, strategy documents and design report proposals.

The information retained by WYFRS related to the consultation approvals process can include personal information such as;

- Name of the building control body and the individual officer
- Name of the applicant/client/developer (company and/or individual)
- Name of the designer (company and/or individual)
- Name of the fire engineer (company and/or individual)
- Name of Responsible Person – This is a legal definition and may be a company name or individual
- Contact details of all of the above
- Details of any other person providing us with information
- Contact details of any other person providing us with information.

We use this information should we need to contact or write to any company or person in relation to the building regulations approval process. We also use this information under the RRFSO should we need to follow up concerns identified during the building regulations approval process in relation to possible fire safety deficiencies with premises.

West Yorkshire Fire and Rescue Authority (WYFRA) statutory consultation response will be made using email or hard copy letter using the postal service and the response may include information related to any company or individual involved as detailed above. The consultation covers the following:

- Matters considered under the Building Regulations;

- Matters relating to fire precautions that will be necessary to meet duties under the Regulatory Reform (Fire Safety) Order 2005 once the building is in use;
- Matters which have to be complied with to meet other Legislation other than Building Regulations;
- Matters which are advisory and not enforceable under Legislation.

The non-personal information related to the design of the building that is collected helps us during an inspection under the RRFSO and at an incident. Such information would include plans, design fire strategies, type and construction of buildings, occupancy numbers, building layout, location and design operation of active and passive fire protection systems, details about access for fire service vehicles and facilities for firefighters.

The Lawful Basis for the processing is:

Public Task

Legal Obligation

Contract

Consent

Data Subject rights:

Rectification

Erasure

Restrict Processing

Data Portability

Object

Automated Decision

Right to withdraw consent

Right to access

Who will have access to the information?

Your information will be stored securely on our internal system and will be used by appropriate authorised staff that require it to undertake their role such as Fire Safety Inspectors and operational and control staff to manage responses to incidents as well as to maintain contact with the named person to keep the risk information up to date and relevant.

Under the RRFSO where we have a statutory duty to share information with other enforcing authorities we may do so.

Information held by WYFRS may be disclosed pursuant to a statutory, or other legal obligation placed upon WYFRS, this includes our requirements for disclosure under the Freedom of Information of Act 2000 or the Environmental Regulations 2004 or with partners where the sharing of safety critical information is needed to ensure the safety of relevant persons. We will ensure confidentiality of commercially sensitive and protective security information available to us, such as premises plans and access codes, unless we are required by law to disclose it.

How long will you keep hold of my information?

The details are kept until no longer required or superseded by a further application.

ICO contact Details:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

Name and Contact of Data Protection Officer:

Data Protection Officer - Ian Brandwood,

West Yorkshire Fire and Rescue Service

Oakroyd Hall, Birkenshaw, West Yorkshire

BD11 2DY

Contact By Telephone: 01274 682311 Ext: 671190 (Corporate Services Team)