

**Privacy Notice: Business Fire Safety**

At South Yorkshire Fire and Rescue (SYFR) we are committed to protecting and respecting your privacy. The majority of the information SYFR collects and processes for the purposes of Fire Safety Audits is non-personalised. However, we have designed this privacy notice to help you understand how we would use any personal information that we might have collected.

SYFR is a registered Data Controller with the Information Commissioner and you are welcome to contact our Data Protection Officer by emailing [dataprotection@syfire.gov.uk](mailto:dataprotection@syfire.gov.uk) , by calling 0114 2532456 or by writing to Data Protection Officer, South Yorkshire Fire and Rescue, 197 Eyre Street, Sheffield, S1 3FG

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**Who our department are and what we do**

The Business Fire Safety Department carries out fire safety audits of all non-domestic premises, whilst also providing advice, guidance and education to the Business Community.

**What type of information will we collect from you?**

The personal information we are likely to collect from a fire safety audit would be:

* Name of the responsible person;
* Contact details of responsible person;
* Details of any person providing us with information.
* Name of the company or premises
* Photographic or video images of persons responsible
* Photographic or video images of relevant persons

**Why do we need your personal information?**

The Regulatory Reform (Fire Safety) Order 2005 permits this authority to audit non-domestic buildings to review the Fire Safety Risk Assessment and Fire Safety provisions and procedures.

Under the Order, the responsible person for the premises must carry out a fire safety risk assessment and implement and maintain a fire safety management plan. SYFR have a statutory duty to enforce the requirements of the Order and one of the ways we do this is to carry out fire safety audits in non-domestic buildings.

The planning for the audit will entail identifying and working with the responsible person. Where we have identified the responsible person, we will keep a record of their name, contact details and all correspondence and documentation completed for the purpose of the audit or managing any fire safety complaint we have received. We may also keep a record of any other person providing us with the information during the audit or as part of the process i.e. a manager.

If we consider that the responsible person has failed to comply with any provision of the Order, we may consider taking further action. If a fire risk is present, depending on how severe the fire risk is, we can take enforcement action to ensure that the fault is corrected and the risk is eliminated. In certain circumstances we will investigate and prosecute for fire safety failings. Relevant details about the responsible person, employees and other relevant persons ie contractors, may be gathered by the Fire Service or from other agencies as part of the investigation process.

**How we will collect your personal information?**

Information is collected in a number of different ways, either in writing during an audit of a premise, through use of cameras or body worn video cameras in order to collate evidence, through use of statutory Articles under the Fire Safety Order, through statutory consultation with partner agencies such as Building Control and through legal searches using platforms such as Companies House.

**Our legal basis for processing your information**

Processing this information is necessary for compliance with our legal obligations which are:

UK GDPR Article 6(1)(c) Legal Obligation. The Regulatory Reform (Fire Safety) Order 2005 permits SYFR to audit non-domestic buildings to review the Fire Safety Risk Assessment and Fire Safety provisions and procedures. Under the Order, the responsible person for the premises must carry out a fire safety risk assessment and implement and maintain a fire safety management plan. SYFR have a statutory duty to enforce the requirements of the Order and one of the ways we do this is to carry out fire safety audits in non-domestic buildings.

To find out more about the Order and our statutory duties under this piece of legislation, or your regulatory responsibilities, as the responsible person of a premises, please click the attached link: <http://www.syfire.gov.uk/business-advice/regulatory-reform-order-2005/>

**Who will have access to my information**

Your information will be stored on an internal secure SYFR system and will only be used by staff that have a clear business requirement to use it to undertake their role. Any video imagery captured by body worn video cameras is stored on a secure cloud, is only accessible by authorised SYFR Business Fire Safety Inspectors.

**Why we may need to share your information:**

We may need to share your information with:

* other staff for purposes outlined in this notice
* when taking legal advice for prospective legal proceedings.

We will not pass on your information to third parties without first obtaining your consent, unless the law and/or our policies allow us to do so for example, in the following circumstances:

* the law states that we can
* there is a risk of serious harm or threat to life
* we are directed by a court of law

Under the Order we are obliged to publish a public register found [here](http://www.syfire.gov.uk/transparency/registers-open-to-public-inspection/), of Alteration, Prohibition and Enforcement Notices. In addition, if we consider prosecution all documentation relevant to the prosecution will be disclosed to our legal team. As stated above, we may also approach other regulatory bodies to ascertain who the responsible person is and if the requirements of the Order have been complied with. Where we have a duty to share information with other enforcing authorities we will.

We do receive Freedom of Information requests regarding fire safety audits and there are occasions where the outcomes of the audit are disclosed, if on balance, it is in the public interest to disclose. Decisions to disclose such information will be made based on SYFR policies, ensuring the maintenance of fire safety standards and transparency. 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 your information be kept?**

SYFR will collect, process and retain your information in accordance with data protection legislation and our policies on data retention – this varies according to statutory requirements, good practice and other legitimate business reasons. The majority of fire safety audit and complaint documentation and any outcomes is kept for a period of 6 years, in line with SYFR Business Fire Safety Retention schedule and then reviewed for destruction. Any Body Worn Video Camera footage that is uploaded to cloud storage and not marked as “Evidential” for investigation purposes will be automatically deleted after 31 days. Body Worn Video Camera footage that has been marked “Evidential” for the purposes of an investigation and further action has been taken in the form of legal proceedings by SYFR the footage will be retained for a period of 5 to 7 years dependant on the offence.

**What will happen if you fail to provide this information?**

The Regulatory Reform (Fire Safety) Order 2005 permits this authority to audit non-domestic buildings to review the Fire Safety Risk Assessment and Fire Safety provisions and procedures.

Under the Order, the responsible person for the premises must carry out a fire safety risk assessment and implement and maintain a fire safety management plan. SYFR have a statutory duty to enforce the requirements of the Order and one of the ways we do this is to carry out fire safety audits in non-domestic buildings.

To find out more about the Order and our statutory and your regulatory responsibilities, as the responsible person and the consequences of not complying, please click the attached link: <http://www.syfire.gov.uk/business-advice/regulatory-reform-order-2005/>

**How to access and control your personal information**

As stated, the majority of information collected and used for Business Fire Safety is non-personalised and relevant to the business only.

However, SYFR have a Data Protection framework in place to ensure the effective and secure processing of your information. For details on how we maintain the security of this and your rights to access the information we hold about you, please refer to our website at [www.syfire.gov.uk](http://www.syfire.gov.uk).

You can find out more about your personal data rights at the Information Commissioners Office Website, or contact them on 0303 123 1113 or by post at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.