

Privacy Notice (How we use your information)

Corporate Safety Unit

It is essential that all accidents, incidents and near misses are reported to ensure investigations take place to prevent recurrence, to identify any problem areas or unsatisfactory trends and to satisfy statutory requirements.

The Corporate Safety Unit has a dedicated team of Group Safety Advisors who provide competent advice and support both to services and schools and have specialist training, extensive experience, knowledge and expertise in all aspects of health and safety.

The categories of information that we collect, process, hold and share include:

- Personal information (such as name, date of birth and address)
 - Name
 - Email address
 - Date of Birth
 - Age
 - Address
 - Postcode
 - Telephone Number
 - Employee Number
- Characteristics (such as gender, ethnicity and disability)
 - Health
 - Gender
- Other types of data
 - Nature of accident/incident
 - Nature of injury
 - Photographs
 - Witness Statements
 - Investigation report, etc

Why we collect and hold this information

We use this personal data in order to:

- Investigate the accident, incident or near miss
- Learn from mistakes
- Prevent others being injured in the future

- Ensure high standards of health and safety
- Satisfy statutory requirements

The lawful basis on which we use this information

We collect and process information about you under Article 6 (1)(b), 6(1)(c) and 6(1)(e) of the UK GDPR, as we have a statutory basis in law to record this information. The legislation we work to includes:

- The Health Protection (Local Authority Powers) Regulations 2010
- The Health Protection (Notification) Regulations 2010
- The Health and Social Care Act 2008: code of practice on the prevention and control of infections and related guidance 2010 (updated 2015)
- Health and Safety at Work Act 1974
- Control of Substances Hazardous to Health 2002
- Reporting of Injury, Disease and Dangerous Occurrences Regulations 2013
- Statistics and Registration Services Act 2007
- Mandatory Health Care Associated Infection Surveillance: Data Quality Statement 2017
- Public Health (Control of Disease) Act 1984

In order to do this work, we also need to collect some special category data. This is personal data that needs more protection because it is sensitive. Under Article 9 of the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing special category information are:

9(g) Reasons of substantial public interest (with a basis in law)

with reliance on Schedule 1, Part 2, Condition 6, statutory purposes (backed up by the legislation above).

Storing this information

We will hold the information about you securely, and for no longer than reasonably necessary. We will retain your personal information for current year plus 3 years, if the information is in relation to an adult.

If the information relates to under 18s, we will retain it until your 18th birthday, plus 3 years. For some cases, such as asbestos or noise damage, we will retain the information for 40 years from date of entry, in order to comply with statutory requirements and in case of legal claims/complaints.

Who we share this information with

We routinely share this information with maintained schools and Academies (within Kirklees), Out of Area Schools who have purchased health and safety services and the HSE.

If an incident turns into a claim, Corporate Safety share information with Risk and Insurance, such information is required for the investigation of a claim.

Why we share this information

We share information with HSE under the Reporting of Injuries Diseases and Dangerous Occurrences Regulations 2013, Regulation 12; also Council Teams under the Limitation Act 1980 which specifies that personal injury actions must be commenced within three years of the injury occurring. For some cases, such as asbestos and noise damage, the Limitation Act allows the claim to be brought within three years of the date that the employee had knowledge of the disease or injury.

We do not share personal information about you with anyone else without your consent unless the law allows us to do so.

Your Data Protection Rights

Under data protection law, you have a number of rights, including the right to have your records rectified and the right to ask for access to all the information the Council holds about you. These rights are listed in more detail on [Kirklees Council's data protection rights page](#).

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at Data.protection@kirklees.gov.uk if you wish to make a request.

Further information

If you would like further information about how we manage your data, please see the [Kirklees Council privacy notice](#).

If you would like further information about this privacy notice, please email iro1.corporatesafety@kirklees.gov.uk

If you have any concerns or questions about how your personal data is handled, please contact the Data Protection Officer at DPO@kirklees.gov.uk or by ringing 01484 221000.

You can also complain to the ICO if you are unhappy with how we have used your data. You can contact the ICO via the 'Contact us' page (<https://ico.org.uk/global/contact-us/>) on their website, or by ringing 0303 123 1113.