Privacy Notice for Fire Investigations

# What is this notice about?

This notice explains how we collect, use and share your personal information when we conduct a fire investigation. A fire investigation is a process of finding out the origin, cause and spread of a fire, and collecting evidence for legal or other purposes.

# Why do we need your information and what do we do with it?

We need your information to carry out our legal duties and public functions under the Fire and Rescue Services Act 2004. This includes protecting life and property from fire, investigating fires, and preventing and detecting fire-related crimes.

The type of information we collect and use depends on the situation, but it may include:

* Your name, address, contact details and statement as an occupier or witness of a fire incident.
* Your health details, if they are relevant to the fire or your safety.

We use your information to:

* Evidential photographs of the incident scene and any materials that may have started or accelerated the fire.
* Contact you if we need more information or to update you on the investigation.
* Determine the origin and most likely cause of the fire.
* Document the source and reliability of the information we obtain.
* Provide evidence to the police, the coroner, or the courts, if the fire is suspicious, deliberate, or involves a death or injury.
* Produce anonymised statistics and reports on fire causes and trends.
* Inform and develop our safety strategies and community safety programmes.
* Share lessons learned and recommendations with other agencies, such as local authorities, trading standards, health and safety executive, and coroners.

# What is the legal basis for processing your information?

We process your information in accordance with the following laws and regulations:

* The Fire and Rescue Services Act 2004, which gives us the power and duty to investigate fires and obtain information.
* The General Data Protection Regulation (GDPR) and the Data Protection Act 2018, which set out the rules and conditions for processing personal information.
* The Coroners and Justice Act 2009, which requires us to cooperate with coroners and provide evidence at inquests.

The specific legal grounds for processing your information under the GDPR and the Data Protection Act 2018 are:

* Article 6(1)(c) of the GDPR, the processing is necessary for the compliance with any legal obligation to which we are subject.
* Article 6(1)(e) of the GDPR, the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us.
* Article 9(2)(j) of the GDPR, the processing is necessary for archiving in the public interest, scientific or historical research, or statistical purposes.
* Article 9(2)(g) of the GDPR, the processing is necessary for reasons of substantial public interest.
* Schedule 1 part 1(4)(a) and (c) of the Data Protection Act 2018, the processing is necessary for archiving, scientific or historical research or statistical purposes, and is in the public interest.
* Schedule 1 part 2(6)(2)(a) and (b) of the Data Protection Act 2018, the processing is necessary to exercise a function conferred on us by law or by the crown, a minister of the crown or a government department.
* Schedule 1 part 2(10)(1)(a) of the Data Protection Act 2018, the processing is necessary for the purposes of the prevention or detection of an unlawful act.

# Do we use automated decision making or profiling?

No, we do not use your information to make decisions by wholly automated means or to create profiles of you.

# Who do we share your information with?

We may share your information with other organisations or individuals for the purposes of fire investigation, prevention, detection, or prosecution. These may include:

* The police, if the fire is suspected or confirmed to be a crime.
* The coroner, if the fire involves a death or injury.
* The courts, if we are required to provide evidence as an expert witness.
* Your insurance company, solicitor, or loss adjuster, if you request a copy of the fire investigation report or photographs.
* Other fire and rescue services, if they assist us with the fire investigation or provide mutual support.
* Other agencies, such as local authorities, trading standards, health and safety executive, and coroners, if they have a legitimate interest or legal power to access the information.
* The Home Office, which collects anonymised data on fire incidents and causes.

We will only share the information that is necessary and relevant for the purpose, and we will ensure that it is handled securely and confidentially.

# How long do we keep your information?

We review our fire investigation reports every five years to decide whether they should be further archived or deleted. This is based on the individual circumstances of each case and the legal or public interest in retaining the information.

# What are your rights and how can you contact us?

You have certain rights regarding your personal information, such as the right to access, correct, erase, restrict, or object to the processing of your data, or to request data portability. However, some of these rights may not apply or may be limited in certain situations, such as when we have a legal obligation or public interest to process your data.

To find out more about your rights, please visit our website: https://www.lancsfirerescue.org.uk/your-rights/

If you have any questions or concerns about how we use your information, please contact our Knowledge and Information Officer via:

* Email: infogov@lancsfirerescue.org.uk
* Telephone: 01772 866907
* Post: Knowledge and Information Officer (Info Governance), Service Development Department, Lancashire Fire and Rescue Service, Fire Service HQ, Garstang Road, Fulwood, Preston, PR2 3LH

You can also contact the Information Commissioner's Office for further guidance or to lodge a complaint at:

* Website: www.ico.org.uk
* Telephone: 0303 123 1113
* Post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

# Changes to this notice

We keep this notice under regular review and update it as necessary. It was last updated on 14 October 2021 and will be reviewed again on 14 October 2024.