

Lancashire Fire & Rescue Service

Privacy Notice – Employee Data

Job applicants, current and former Lancashire Fire and Rescue employees

Lancashire Fire and Rescue is the data controller for the information you provide during the recruitment process unless otherwise stated. If you have any queries about the process or how we handle your information please contact us at Human Resources, Service Headquarters, Garstang Road, Fulwood, Preston, PR2 3LH.

What will we do with the information you provide to us?

All of the information you provide during the recruitment process will only be used for the purpose of progressing your application, or to fulfil legal or regulatory requirements if necessary. We will not share any of the information you provide during the recruitment process with any third parties for marketing purposes or store any of your information outside of the European Economic Area. The information you provide will be held securely by us and/or our data processors whether the information is in electronic or physical format. We will use the contact details you provide to us to contact you to progress your interest in joining the Service. We will use the other information you provide to assess your suitability for the role you have applied for.

What information do we ask for, and why?

We do not collect more information than we need to fulfil our stated purposes and will not retain it for longer than is necessary. The information we ask for is used to assess your suitability for employment, or to meet legal or regulatory obligations. You don't have to provide what we ask for but it might affect your application if you don't.

Lawful basis for processing

The information collected by Human Resource Department is classed as Special Categories of Data as it is more sensitive than other forms of personal data. In order to process Special Categories of Data we must have a lawful basis under Article 6 and a separate condition under Article 9 of the GDPR.

General Data Protection Regulation

The condition for processing under the GDPR will be:

- **Article 6(1)(b) of the GDPR** the processing is necessary for the performance of a contract to which the data subject is a party; or, in order to take steps at the request of the data subject with a view to entering into a contract.
- **Article 6(1)(c) of the GDPR** the processing is necessary for the compliance with any legal obligation to which the controller is subject.
- **Article 6 (1) (f) of the GDPR** the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.
- **Article 9 (2) (b) of the GDPR** the processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment or social security or social protection.
- **Article 9(2)(g) of the GDPR**, the processing is necessary for the performance of a task carried out in the public interest.
- **And Schedule 1 part 1(1) and (2)(a) and (b) of the DPA2018** which relates to processing for employment, the assessment of your working capacity and preventative or occupational medicine.
- **And Schedule 1 part 2(18) of the DPA2018** which relates to processing for safeguarding of children and of individuals at risk.

Application stage

If you use our online application system, this will be collected by a data processor on our behalf (please see below). We ask you for your personal details including name and contact details. We will also ask you about your previous experience, education, referees and for answers to questions relevant to the role you have applied for. Our Human Resources team and those involved in the recruitment and selection process will have access to all of this information. You will also be asked to provide equal opportunities information. This is not mandatory information – if you don't provide it, it will not affect your application. This information will only be available to the Human Resources Team. Any information you do provide will be used only to produce and monitor equal opportunities statistics.

Shortlisting

Our hiring managers shortlist applications for interview. They will not be provided with your name, or contact details, or with your equal opportunities information if you have provided it.

Assessments

We might ask you to participate in assessment days; complete tests or occupational personality profile questionnaires; and/or to attend an interview – or a combination of these. Information will be generated by you and by us. For example, you might complete a written test or we might take interview notes. This information is held and retained by Human Resources, our data processors and the Training and Operational Review Departments only.

If you are unsuccessful following assessment for the position you have applied for, we may ask if you would like your details to be retained in our talent pool for a period of twelve months. If you say yes, we would proactively contact you should any further suitable vacancies arise.

Conditional offer

If we make a conditional offer of employment we will ask you for information so that we can carry out pre-employment checks. You must successfully complete pre-employment checks to progress to a final offer. We are required to confirm the identity of our staff, their right to work in the United Kingdom and seek assurance as to their trustworthiness, integrity and reliability.

You will therefore be required to provide:

- Proof of your identity – you will be asked to attend our office with original documents, we will take copies.
- Proof of your qualifications – you will be asked to attend our office with original documents, we will take copies.
- You will be asked to complete a criminal records declaration to declare any unspent convictions. If the job you apply for is one of the excluded jobs listed in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, we will ask you to disclose all convictions, whether spent or unspent.
- Depending on the nature of your role we may need to undertake a criminal record check, if this is the case we will ask you to complete an on-line application for an Enhanced Criminal Record check via the Disclosure and Barring Service (DBS) which will verify your declaration of any convictions. Any information you supply during your on-line DBS application will therefore be shared with the data processor and the Disclosure and Barring Service.
- We will contact your referees, using the details you provide in your application, directly to obtain references
- We will also ask you to complete a questionnaire about your health. This is to establish your fitness to work. This is done through a data processor (please see below).

If we make a final offer, we will also ask you for the following:

- Bank details – to process salary payments
- Emergency contact details – so we know who to contact in case you have an emergency at work
- Personal contact details – As an emergency service we will retain your mobile and home telephone number in order to contact you in case of the need to recall you to duty, or in an emergency or in response to a major incident.

Post start date

Some positions require a higher level of security clearance – you will be notified of this. If this is the case, then you will be asked to submit information via the National Security Vetting process to HMRC. HMRC will be the data controller for this information.

HMRC will tell us whether your application is successful or not. If it is unsuccessful, Lancashire Fire and Rescue will not be told the reason(s) why but we might need to review your suitability for the role or how you perform your duties.

Our Code of Conduct requires all staff to declare if they have any conflicts of interest. If you complete a declaration, the information will be held on your employee file.

Our Secondary Employment Policy requires staff to request permission to undertake any form of secondary employment. If you complete a request and this is agreed, the information will be retained on your employee file and a monitoring spreadsheet held electronically by Human Resources Department.

Use of data processors

Data processors are third parties who provide elements of our recruitment service for us. We have a contract in place with our data processor. This means that they cannot do anything with your personal information unless we have instructed them to do it. They will not share your personal information with any organisation apart from us. They will hold it securely and retain it for the period we instruct.

Vacancy Filler

If you use our online application system, you will provide the requested information to Blue Octopus who provide this online service for us. Once you click 'apply now' you will be taken via the Lancashire Fire and Rescue Service microsite to the Blue Octopus website and they will hold the information you submit but Lancashire Fire and Rescue will have access to it.

Here is a link to their Privacy Notice. [Blue Octopus Privacy and Data Protection Policy](#)

ITrent

If you accept a final offer from us, some of your personnel records will be held on Itrent this is an internally used HR records system. The provider of Itrent is Midland Software, they will not have access to your data.

Manchester FRS

If you are employed by Lancashire Fire and Rescue Service, relevant details about you will be provided to Manchester FRS who provide payroll services to LFRS. This will include your name, bank details, pension details, absence details due to maternity, sickness, address, date of birth, National Insurance Number and salary.

Your Pensions Service

Likewise, your details will be provided to Your Pensions Service who are the administrators of the Local Government and the Fire Service Pension Schemes, of which LFRS is a member organisation. You will be auto-enrolled into the pension scheme and details provided to Your Pensions Service will be your name, date of birth, National Insurance number and salary. Your bank details will not be passed to Lancashire MY Pensions Service at this time.

Health Management

Health Management provide an Occupational Health Drs Service to LFRS. If we make you a conditional offer, we will ask that you complete a questionnaire which will help to determine if you are fit to undertake the work that you have been offered, or advise us if any adjustments are needed to the work environment or systems so that you may work effectively. The information you provide will be held by LFRS Occupational Health Department and it may be viewed by the Occupational Health Dr who will provide LFRS with recommendations. You are able to request to see the report before it is sent to us. If you decline for us to see it, then this could affect your job offer.

SHL

SHL provide online testing for us. If we ask you to complete one of these tests, we will send you a link to the test. Your answers will be provided to and held by SHL. Your results will be accessible only to specifically trained staff in Human Resources and to SHL.

At the start of each assessment, candidates are provided with the specific Data Protection Notice that governs SHL's Talent Assessment System.

uCheck

uCheck act as the 'umbrella body' for processing the Service's Disclosure and Barring Service checks.

Here is a link to their Privacy Notice. [uCheck Privacy Notice](#)

How long is the information retained for?

If you are successful, the information you provide during the application process will be retained by us as part of your employee file for the duration of your employment plus 6 years following the end of your employment. This includes your criminal records declaration, fitness to work, records of any security checks and references.

If you are unsuccessful at any stage of the process, the information you have provided until that point will be retained for 12 months from the closure of the campaign.

Information generated throughout the assessment process, for example interview notes, is retained by us for 12 months following the closure of the campaign.

Equal opportunities information is retained for 12 months following the closure of the campaign whether you are successful or not.

Vacancy Filler will provide us with management information about our recruitment campaigns. This is anonymised information which tells us about the effectiveness of campaigns, for example, from which source did we get the most candidates, equal opportunities information for monitoring purposes. This anonymised information will be retained by us for 6 years from the end of the campaign.

If you have expressed an interest in joining our retained service and no vacancy currently exists we will retain your details for a period of up to 2 years in the event of a vacancy arising. You can ask us at any time to remove your details.

Further information about our data processor's retention periods is available within their Privacy Notice (link above)

How we make decisions about recruitment?

Final recruitment decisions are made by hiring managers and members of our recruitment team. All of the information gathered during the application process is taken into account. SHL online testing is marked and a result is generated automatically. You are able to ask about decisions made about your application by speaking to your contact within our Human Resources Team.

Secondments/Placements

We also offer opportunities for people to come and work with us on a secondment basis. We accept applications from individuals or from organisations who think they could benefit from their staff working with us.

Applications are sent directly to Human Resources. Once we have considered your application, if we are interested in speaking to you further, we'll contact you using the details you provided. We might ask you to provide more information about your skills and experience, or invite you to an interview. If we do not have any suitable work at the time, we'll let you know but we might ask you if you would like us to retain your application so that we can proactively contact you about possible opportunities in the future. If you say yes, we will keep your application for 6 months.

If you are seconded to the LFRS, we will ask that you complete:

- An application form
- A medical questionnaire if you are the successful applicant

Also you will be expected to adhere to our code of conduct which will be agreed with your organisation. We might also ask you to complete our pre-employment checks. Whether you need to do this will depend on the type of work you will be doing for us. It will be retained for the duration of your secondment plus 6 years following the end of your secondment.

Why does LFRS process personal data?

LFRS needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer pension entitlements. In some cases, Lancashire Fire and Rescue Service needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws, to enable employees to take periods of leave to which they are entitled, and to consult with employee representatives if redundancies are proposed or a business transfer is to take place. For certain positions, it is necessary to carry out criminal records checks to ensure that individuals are permitted to undertake the role in question.

In other cases, LFRS has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows LFRS to:

- Run recruitment and promotion processes;
- Maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;

- Operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- Operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- Obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the organisation complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure effective general HR and business administration;
- conduct employee engagement surveys;
- provide references on request for current or former employees;
- respond to and defend against legal claims;
- maintain and promote equality in the workplace.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations. LFRS processes other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring. Data that LFRS uses for these purposes is anonymised or is collected with the express consent of employees, which can be withdrawn at any time. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

Disclosure of personal information

In many circumstances we will not disclose personal data without consent. However when we investigate a complaint, for example, we will need to share personal information with the organisation concerned and with other relevant bodies.

In addition LFRS participates in the National Fraud Initiative. We are required to provide payroll data to the Cabinet Office to enable a data matching exercise to be conducted by the Cabinet office to support fraud prevention controls. The National Fraud Initiative is conducted using the data matching powers bestowed on the Minister for the Cabinet Office by [Part 6 of the Local Audit and Accountability Act 2014](#) (LAAA).

Under S 109 of the Social Security Administration Act 1992, we have a legal obligation to respond to requests for information from the Department of Social Security in relation to payroll and employment history, to enable the Department to correctly administer benefits.

Under Working Together to Safeguard Children 2015, we will share information about our employees with the relevant Local Authority Designated Officer where there is a safeguarding concern relating to a child or a vulnerable adult.

We are required to share personal data with the Police in the prevention or detection of crime, the apprehension or prosecution of offenders or the assessment or collection of tax or duty.

Changes to this privacy notice

We keep our privacy notice under regular review. This privacy notice was last updated on 26 October 2018.

Your Rights

In certain circumstances the Data Protection Act 2018 will provide you with various rights regarding your personal information, such as the right to;

- Request sight of the information that we are holding on you
- Request the rectification of any inaccurate personal data
- Request erasure of personal data
- Request restriction of processing
- Object to the processing of your data
- Data portability
- Lodge a complaint with the Information Commissioner's Office
- Request to withdraw consent where the processing is based on consent

To find out more about your rights [click here](#).

Contact us

LFRS tries to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures.

This privacy notice was drafted with brevity and clarity in mind. It does not provide exhaustive detail of all aspects of LFRS's collection and use of personal information. However, we are happy to provide any additional information or explanation needed. Any requests for this should be sent to the address below.

If you want to make a complaint about the way we have processed your personal data or would like to discuss how we use your information, please contact the Knowledge and Information Officer via:

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

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

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