

Individual Rights

The use of personal information is mainly governed by the Data Protection legislation.

West Yorkshire Fire and Rescue Service is the Data Controller for any personal data collected and used and is registered with the Information Commissioner's Office (ICO) – Ref: Z9636959.

The GDPR says that you have the following rights with regard to your personal data held by any organisation:

1. Your right to be informed

When directly collecting your personal data, we will explain exactly what will happen to it using a **Privacy Notice (please see [link to our privacy notice on our website](#), an individual privacy notice will be provided to you at the time of collecting the data)**. If the Service is collecting and using your personal data, then we must have a legal reason to do so. We will explain our reasons fully in the Privacy Notice.

What will be provided on our Privacy Notice?

- Details of the data controller – which in most cases will be West Yorkshire Fire and Rescue Service;
- Let you know who our Data Protection Officer is and how to make contact;
- The legal basis for processing your data and the purpose(s) we will use it for;
- Any consequences of you not providing all the data requested;
- Who we share this with and how long we keep the information for;
- We will also let you know your rights to have data rectified, to be forgotten, to portability, to object to processing and to complain;
- We will also let you know if the data will be subject to any automated decision making;
- If the data will be transferred outside the European Economic Area;
- If the personal data was not provided by you, the identity of the source and the categories of data we hold; and
- If we intend to use your data for a purpose other than that which we initially intended we will also issue you a further privacy notice prior to processing.

2. Your right to access

You can request a copy of all, or part of, the personal data we hold about you by submitting a **Subject Access Request (SAR)**. Information on how to submit a Subject Access Request can be found [here](#).

You will need to provide enough detail about yourself to enable us to identify your personal data, such as your name, address and what contact you have had with the Service.



You will also need to provide us with a description of the information you are looking for to enable us to locate it. Please be as specific as you can to assist our search.

We will also require proof of your identity. This can be a copy of your driving licence, birth certificate or passport. Copies of your proof of identification will be destroyed once the SAR has been completed.

Will there be a charge?

Generally there is no charge whether you want to view or have a copy of your information and the Service has one month to deal with your application. However, if your request is extremely big (excessive) or clearly groundless, the Service can either charge you a reasonable administrative fee or actually refuse to reply.

How long will it take?

We will acknowledge your request upon receipt. Once proof of ID and any fee has been received you will receive the information requested within one month.

However, if your request is complex or numerous requests have been made, we may be required to extend this to up to three months. If this is the case, we will contact you within one month of receiving your request to notify you and provide a full explanation.

What will I receive?

You have the right to all of the personal data about you that we hold. However, there are some exemptions which we will explain if relevant.

Any decision to disclose another individual's information to you will be made on a case-by-case basis. We will endeavour to supply the information in the requested format.

We cannot give you access to your information if:

- It contains personal information about other people;
- A professional believes it will cause you or someone else serious physical or mental harm;
- If the information may interfere with preventing or detecting a crime.

Third party requests

Requests made on your behalf (e.g. by a solicitor, relative or friend) will require written evidence of their authority to make such a request and must satisfy us that they are entitled to do so.

We would also need to be satisfied that you understand what information may be disclosed to someone acting on your behalf. In some circumstances, we may send the information direct to you.

3. Right to rectification

If you discover that the personal data West Yorkshire Fire and Rescue Service holds about you is inaccurate or incomplete, you have the right to ask for the information to be corrected and we must comply with your instructions within one month.

You must be clear about exactly what you believe is inaccurate and how we must correct it, providing evidence of the inaccuracies where available.

We will confirm that we have corrected your personal data. However, if we consider that your data does not need to be corrected, we will explain why. Either way, we will respond to your request within one month (or up to three months for complex requests).

4. Right to erasure

You can ask for your personal information to be deleted; also known as the 'right to be forgotten'.

For example this could be if:

- your personal information is no longer needed for the reason it was collected;
- you have withdrawn your consent for us to use your information;
- there is no legal reason for your information to be kept.

If we have shared your personal information, we will contact those with whom we have shared it and ask them to stop using your data and delete it from their records.

Please note that it is not always possible for us to delete your information, even though you have asked us to. For example, we would not be able to delete it where:

- we must record it by law;
- it is needed for public health reasons;
- it is used for scientific / historical research or statistical purposes, where it would make the information unusable if we deleted your record;
- it is necessary for legal claims.

As mentioned above this right is not absolute and we will not delete personal data which we still need to fulfil our official responsibilities as a Fire Service. We will notify you if this is the case.

5. Right to restriction

You have the right to request that we restrict any processing of your personal data until any errors have been rectified. In this situation, the right to restrict is not stand-alone and can be applied in tandem with the right to rectification.

The right to restriction can also be applied in other situations. If you are concerned that we may be processing data about you in a manner that is not fair and lawful, you can request that processing is restricted while you pursue a complaint / determine our condition for processing.

We will consider your request and reply within one month with the outcome.

6. Right to portability

The right to data portability is very unlikely to apply for information held by West Yorkshire Fire and Rescue Service. This is because it is exempt from reliance on lawful reasons to process data including having a legal obligation or carrying out a task in the interest of the public. We will of course consider such requests and respond within one month.

7. Right to object

You have the right to object to us processing your personal data for the purposes we consider to be in the public interest whilst exercising our official authority as a Fire Service.

If you do raise an objection we will stop using your personal data, unless we are able to prove overriding legitimate grounds for doing so.

8. Rights relating to automated decision making

West Yorkshire Fire and Rescue Service do not make automated decisions about the public we serve and therefore these rights do not apply. However, where we may use automated decision making you will be informed including the right to object to have decisions made by an automated process.

In order to exercise any of the above rights please contact:

Information Governance Team
Corporate Services
West Yorkshire Fire and Rescue Service
Oakroyd Hall
Bradford Road
Birkenshaw
BD11 2DY

Telephone number 01274 473787