

**Privacy Notice- Non Employees
Durham County Council
Resources Directorate
Health and Safety Service**

1. Who we are and what we do

**Durham County Council
Resources Directorate
Health and Safety Service**

For the purposes of data protection, Durham County Council is the data controller for your information.

Durham County Council's Health and Safety Service (HSS) are responsible for:

- Ensuring the Health, safety and welfare of Council employees and others (members of the public, service users, contractors) affected by the councils work related activities and services.
- Provides support and guidance to ensure managers and employees alike understand their health and safety responsibilities and can discharge these effectively along with other core roles and functions.
- Ensuring the Council to meets statutory requirements and to provide advice on Health and Safety as required by the Health and Safety at Work etc. Act and associated regulations and guidance.
- Undertake a range of associated activities such as:
 - Accident, Incidents and near misses
 - Audit and inspections
 - Training
 - Risk Assessments
 - Liaison with relevant third parties (such as HSE, Fire and Rescue Service, Probation Services, and other relevant professional bodies)

2. What type of personal information do we collect and how do we collect it?

We may collect the following personal information about you:

- Information required to meet our organisation and statutory obligations to you such as:

This includes personal (but is not limited to) :

- Personal details (name, address, date of birth etc.)
- contact details
- training records

This also includes special category data such as:

- Health information from accidents, incidents and near misses which may relate to:
 - Physical injuries and health to yourself and others
 - Psychological injuries and health
 - Medical treatment administered

We collect information about you in the following ways:

- Paper forms
- Online information
- Communication with yourself (telephone, in person written)

Information received from a third party i.e. other government agencies)

3. What is our power to obtain and use the personal data?

To provide the H&S services and meet statutory requirements we may process data pursuant to you. When we collect and use your personal information we rely on one of the following:

Lawful Basis (Article 6)

- a) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- b) processing is necessary for compliance with a legal obligation, primarily associated with Health and Safety at Work etc. Act 1974 and associated legislation to which the controller is subject;
- c) processing is necessary for the performance of a task carried out in the public interest (i.e. maintaining or improving public health and/or safety where they may be affected) or in the exercise of official authority vested in the controller;
- d) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

Special Category Data

When we collect special category personal information we rely on one of the following

Conditions from Article 9

Conditions for processing special category data are known under Article 9.

- a) 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 and social security and social protection law;
- b) processing is necessary for the establishment, exercise or defence of employer or public legal claims;
- c) processing is necessary for reasons of substantial public interest, for example public health and safety, related activities, investigations and improvement initiatives.

4. What is your personal information used for?

HSS collects and processes information about you for the following purposes:

- To provide you with our services and develop and improve associated health, safety and wellbeing
- To assist in the protection of Council employees in relation to violence and aggression related risks
- To contribute to statistical production and analysis
- To deliver services, support and advise you
- To investigate and respond to a request or enquiry you may have made
- To investigate and respond to a complaint or an appeal you have made
- To send you information regarding the progress of your request / enquiry / complaint/appeal
- To ensure that the information we hold about you is kept up to date
- To protect, manage and administer your contact
- For assessment and analysis purposes to help improve the operation of our service
- To evidence compliance with statutory requirements
- To prevent, detect and prosecute fraud and any other crime.

5. Will your personal information be shared?

We may share Information with partner organisations and agencies. There may be a statutory obligation to do so, such as for the purposes of the reporting incidents, ill health and disease to regulatory bodies, for legal proceedings or where you have requested for us to share information. The type of service will determine if we share information. These details will be held in the specific Privacy Notice related to that service/function.

In some cases, such as for the prevention and detection of crime, we are legally obliged to share information with other agencies.

Some examples of who we may share information with include:

- HSE (Health and Safety Executive)
- Durham Constabulary
- CDDFRS (County Durham And Darlington Fire and Rescue Service)
- Council Insurers
- Housing Associations

If you would like confirmation of who we do share information with please contact us.

6. How do we keep your personal information secure?

The security of your personal information is important to us. This is why we follow a range of security policies and procedures to control and safeguard access to and use of your personal information.

Examples of our security include:

- Encryption, meaning that information is hidden so that it cannot be read without special knowledge (such as a password). This is done with a secret code or what's called a 'cypher'. The hidden information is said to then be 'encrypted';
- Controlling access to systems and networks allows us to stop people who are not allowed to view your personal information from getting access to it;
- Training for our staff allows us to make them aware of how to handle information and how and when to report when something goes wrong;
- Regular testing of our technology and ways of working including keeping up to date on the latest security updates (commonly called patches);
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7. How long will we keep your personal information?

The type of service, information and legal requirements will determine how long we have to keep it. Durham County Council corporate retention guidelines, available via the Council intranet show how long we keep varying records for. This can range from months to decades for more sensitive records or those where statutory legal requirements specifically apply.

For example

- Accident Reports/ Dangerous Occurrences / Outbreaks of Notifiable Diseases
Paper records 7 Years, electronic accident reporting form 40 years

For more specific details please see our retention guidelines.

8. Is your personal information processed outside the European Union?

We do not process your personal information outside of the EU.

9. Marketing (if applicable)

At no time will your information be passed to organisations external to us and our partners for marketing or sales purposes or for any commercial use without your prior express consent.

10. What are your Information Rights?

Your information rights are set out in law. Subject to some legal exceptions, you have the right to:

- *Have any inaccuracies corrected;*
- *Have your personal data erased;*
- *Place a restriction on our processing of your data;*
- *Object to processing; and*
- *Request your data to be ported (data portability).*

To learn more about these rights please see the ICO website.

To exercise any of these rights please contact the relevant service in the first instance.

You also have the right to request a copy of the personal information that the council holds about you. To do this, please use this [link](#)

If something goes wrong with your personal information, or you have questions about how we use it, please contact (the Data Protection Officer) at dpo@durham.gov.uk .

If we have not been able to deal with your complaint, you can also contact the [Information Commissioner's Office](#)

*Information Commissioner's Office
Wycliffe House,
Water Lane
Wilmslow, Cheshire SK9 5AF*

Telephone: 0303 123 1113 (local rate) or 01625 545 745

Fax: 01625 524 510