



## BMBC PRIVACY NOTICE

<b>Document Title</b>	Accidents to members of the public or others who are not at work.
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**At BMBC we are committed to protecting and respecting your privacy. This Privacy Notice tells you what you can expect when BMBC collects your personal information. This notice applies to information BMBC collect in relation to accidents to members of the public or others who are not at work.**

### **Stage one: Who are we?**

The Council's internal 'competent advisors' in relation to occupational health and safety – Health, Safety and Emergency Resilience Service. We are separate to the Health and Safety Executive and the Council's Regulatory Services (who act as regulators for health and safety legislation).

### **Stage two: What type of personal information we will collect from you**

Personal Information such as name, address, telephone number etc. We will also collect information on any injury reported. We will not collect any information from you that we do not need to provide and oversee this service to you.

### **Stage three: Why do we need your personal information**

We will use your personal information to enable us to carry out specific functions for which we are responsible. Specifically the Service is responsible on behalf of the Council (as an employer) for reporting relevant accidents to the Health and Safety Executive. In accordance with The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) any injury to a person who is not at work (e.g. resident/member of the public/pupil/contractor etc.) must be reported to the Health and Safety Executive if it a) results from an accident arising out of or in connection with work, and b) results in being taken to a hospital for treatment in respect of that injury. The reports made under these Regulations require the Council to input the address of the injured person. The address is only requested on this basis.

### **Stage four: How we will collect your personal information**

We only collect your information via reports of accidents/incidents. The data is collected via a form that is available at the time the accident is reported to the person responsible for the premises concerned – reports cannot be made ‘online’.

## **Stage five: Our Legal Basis for processing your information**

We collect and use your information under:

Article 6 (1)(c) – Processing is necessary for compliance with a legal obligation

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (for further information see <http://www.hse.gov.uk/riddor/index.htm>)

## **Stage six: Why we may need to share your information**

BMBC will not share your information with anyone without consent unless the law and/or our policies allow us to do so. We will where an accident is reportable to the Health and Safety Executive provide them with your name and address, and a summary of the accident/incident (including any injury reported) on the report form (which is completed electronically at [www.hse.gov.uk](http://www.hse.gov.uk)). Where enforcement action is taken as a result of an accident/incident we may also need to share details of your accident/your information with the courts. Where any civil claim for alleged damages arising from an alleged accident/incident are made by the person involved in the alleged accident/incident we may need to share your information with organisations included, but not limited to, our solicitors and insurers.

## **Stage seven: Who we may share your information with**

Your information will be not routinely shared with any other organisation except in the circumstances outlined in Stage Six above.

## **Stage eight: How long will your information be kept?**

BMBC are required under legislation relating to civil claims to keep your basic personal information (name, address, contact details etc.) for a period of 3 years from the date of the accident (or in the case of an accident involving a person under the age of 18, 3 years from their 18<sup>th</sup> birthday), after which time it will be securely destroyed. For more information on our retention schedule please visit [Barnsley Metropolitan Borough Council privacy notice](#).

## **Stage nine: What will happen if you fail to provide personal information?**

The Council will be unable to provide the details requested by the Health and Safety Executive and in addition may not be able to provide information requested in relation to any civil claim.

## **Stage ten: How to access and control your personal information**

BMBC have a Data Protection framework in place to ensure the effective and secure processing of your information. For details on how your information is used, how we maintain the security of this and your rights to access the information we hold about you, please refer to the [Barnsley Metropolitan Borough Council privacy notice](#)

Should you need to contact the council to discuss how we use your information, please contact our Customer Feedback and Improvement Team by email at [informationrequests@barnsley.gov.uk](mailto:informationrequests@barnsley.gov.uk) or by telephone on 01226 773555 and ask to speak with the above Team. If you are not satisfied with our response you may contact our Data Protection Officer on [DPO@barnsley.gov.uk](mailto:DPO@barnsley.gov.uk).

If you are not satisfied with the way we have handled your information, the Information Commissioners Office (ICO) is the UK's independent authority upholding information rights in the public interest and can be contacted at [www.ico.org.uk](http://www.ico.org.uk)