



ADUR & WORTHING  
COUNCILS

## **Safety & Resilience - Health & Safety Privacy Notice**

**This privacy notice explains the following in relation to health and safety;**

Who is collecting your data?  
Why do we need your data?  
What is the legal basis for processing this data?  
What data is being collected?  
What do we do with the data?  
How long do we keep data about you?  
What are your rights?  
How to Contact Us

### **Who is collecting your data?**

Adur & Worthing Councils are the data controllers (referred to in this notice as “we” or “us”) of your personal data for the purposes of applicable data protection legislation.

We take your personal data seriously and will ensure that we are doing the right thing when it comes to how we collect, use and protect your personal data. This privacy notice:

- explains how and why we collect and use your personal data;
- sets out the types of personal data that we collect;
- explains when and why we will share personal data with other organisations;
- explains the rights and choices you have when it comes to your personal data;

### **Why do we need your data?**

We process your data to continually monitor and enhance the health and safety management for staff, contractors and members of the public.

We are required to keep health and safety records in accordance with the Health and Safety at Work Act 1974.

We also have a duty to report certain accidents and incidents to the Health and Safety Executive as required by the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)

## What is the legal basis for processing this data?

The legal basis for data processing we are relying on comes from Article 6 of the General Data Protection Regulations (GDPR). The following sections apply;

- Article 6(1)(c) Legal Obligation - Processing is necessary for compliance with a legal obligation to which the controller is subject;
- Article 6(1)(d) Vital interest - the processing is necessary to protect someone's life;
- Article 6(1)(e) Public task -the processing is necessary for you to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.

## What data is being collected?

When an accident is reported we need to collect some or all of the information to comply with legislation

- Name;
- Address;
- Age;
- Gender;
- Date of birth;
- Injuries;

For employees we may collect the following additional information;

- Health Records;
- Medical Records (if consent is given by the data subject);
- Employee number;
- National Insurance number;
- Date present employment started;
- Health Surveillance - the date they were carried out and by whom;
- The outcome of the health surveillance test/check;
- The decision made by the occupational health professional in terms of fitness for task and any restrictions required;
- Health and safety training records

## What do we do with the data?

All accident reports are submitted either via email or via an electronic form to the Safety & Resilience Team.

The Safety and Resilience Team will only use the data in the following circumstances;

- A summary of the incident by removing personal data is used to compile a monthly health and safety report which is viewed by the Health and Safety Board.
- We may use the data to undertake an investigation to review risk assessments and methods statements to identify areas for improvement.
- Depending on the type of incident an accident record may be sent to our Insurance Officer so that our insurer is aware of any impending civil action.
- Where an accident is reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) we have a duty to submit a report to the Health and Safety Executive.

- The councils are required by law to protect the public funds they administer. We may use any of the information you provided for the prevention and detection of fraud.
- We may also share information with other bodies that are responsible for auditing or administering public funds, including the Cabinet Office. The Cabinet Office requires councils to participate in data matching exercises to assist in the prevention and detection of fraud.
- Any supporting information relating to the person will also be kept in line with the data retention schedule below.

## We will not

- Share your personal data for marketing or sales purposes;
- Make decisions about you based on automated processing.

## How long do we keep data about you?

In line with our Data Retention Policy and legislation we store the following information as detailed below;

Type of information	Retention Period
All records relating to accident reporting where the person is aged over 18 at the time of the accident	5 years after an accident has been reported. (Injured party has 3 years in which to report the accident)
All records relating to accident reporting where the person is aged under 21 at the time of the accident	5 years after attaining the age of 21yrs
RIDDOR reportable incidents where exposure to hazardous substances i.e. asbestos or chemicals	40 years from the date of publication
COSHH Records	40 years from the date of publication
Personal Risk Assessments including Personal Emergency Evacuation Plans (PEEPS) and DSE assessments	Life of assessment or plan plus 5 years
Occupational Health / Health Surveillance Records; <ul style="list-style-type: none"> <li>• Health questionnaire</li> <li>• Medical clearance</li> <li>• Adjustment to work place</li> <li>• Restrictions</li> <li>• Recommendations</li> </ul>	Life of assessment plus 40 years
Inspections / Audit information	5 years from the date of publication
Risk Assessments; <ul style="list-style-type: none"> <li>• Ladders</li> <li>• Manual Handling</li> <li>• Working at Height</li> <li>• Confined space working</li> </ul>	Life of assessment plus 5 years

<ul style="list-style-type: none"> <li>All work areas where legislation requires assessment</li> </ul>	
Risk Assessments; <ul style="list-style-type: none"> <li>Asbestos</li> <li>Cement</li> <li>Lead</li> </ul>	Life of assessment plus 40 years
Permits to work; <ul style="list-style-type: none"> <li>First Aid Certificate</li> <li>Fire Safety Certificate</li> </ul>	Life of certification plus 5 years

## What are your rights?

You are entitled to request a copy of any information about you that we hold. Any such requests must be made in writing.

If the information we hold about you is inaccurate you have a right to have this corrected and you have the right to request completion of incomplete data.

You have the right to request that we stop, or restrict the processing of your personal data, in certain circumstances. Where possible we will seek to comply with your request, but we may be required to hold or process information to comply with a legal requirement.

If you are dissatisfied with how the councils have used your personal information you have a right to complain to the Information Commissioner's Office at [casework@ico.org.uk](mailto:casework@ico.org.uk)

## How to Contact Us

You may contact us by emailing [safety-resilience@adur-worthing.gov.uk](mailto:safety-resilience@adur-worthing.gov.uk)

Alternatively you may contact the councils data protection officer at;

[data.protection@adur-worthing.gov.uk](mailto:data.protection@adur-worthing.gov.uk)

Or write to;  
 Adur & Worthing Councils,  
 Worthing Town Hall,  
 Chapel Road,  
 Worthing,  
 West Sussex,  
 BN11 1HA

Further information can also be found by going to our website.  
<https://www.adur-worthing.gov.uk/about-the-councils/legal/data-protection/>