

Privacy notice 33: Fire Cadets

Date completed 03/07/2023

This notice is one of a set which explain what data we collect, store and process to provide our services to customers. It also sets out the legal basis we are using for collecting the data stated.

It should be read alongside the related privacy notices listed below, all of which can be found here: <https://www.kent.fire-uk.org/privacy-policy>

- The overall privacy notice
- The breach process contained in Annex 1 of the Data Protection and Information Security Policy which sets out what we will do should any data we collect be lost or misused. This can be found here: <https://www.kent.fire-uk.org/freedom-information-foi>

Our contact details

Kent Fire and Rescue Service
The Godlands
Straw Mill Hill
Tovil
Maidstone
ME15 6XB

Email: data.protection@kent.fire-uk.org

Telephone: 01622 692121

Why we collect and use personal data

This notice covers the use and processing of personal data by KFRS in order to allow us to operate a fire cadets scheme.

The fire cadets scheme is a nationally recognised scheme for those aged between 13 and 17. The scheme allows young people to attend a fire station over a 40 week period and gain knowledge and experience of the fire service.

We collect and store personal data of cadets and their parents/guardians to allow us to do the following:

- operate the fire cadets scheme safely, inclusively, and effectively
- have a fair and balanced membership
- meet our obligations under the public sector equality duty.

The data we will collect also includes some special category data about the fire cadets. We do this so that we can: look after the safety and welfare of the fire cadets; actively remove

barriers to entry for under-represented groups; and allow us to measure our performance against the public sector equality duty (Section 149 of the Equality Act 2010).

For more information about what special category data is and what types of special category data we collect, please see the section below titled 'Special category data'.

The types of personal data we collect and process

We only collect and process the data that is necessary to allow us operate the fire cadets scheme in line with the aims set out above.

The fire cadets are 13 to 17 years old, which means that we are collecting and processing the data of children. When we refer to a child, we mean anyone under the age of 18. This is in accordance with the UN Convention on the Rights of the Child which defines a child as everyone under 18 unless, "under the law applicable to the child, majority is attained earlier" (Office of the High Commissioner for Human Rights, 1989). The UK has ratified this convention.

Additionally, KFRS will collect and process names and contact details (address, phone number, email) for the cadets' parents/guardians. This data is collected to allow us to contact cadets' parents/guardians to provide information about upcoming events, notify them of change of details for meetings, or in the event of an emergency.

Due to the possibility of needing to contact parents/guardians at short notice and to accommodate split families, contact details will be asked for two parents/guardians where possible.

The categories of personal data that may be processed as part of operating the fire cadets scheme are as follows:

- Cadet's date of birth
- Cadet's name
- Cadet's address
- Cadet's health data where relevant (e.g. autism, ADHD, food allergies and hay fever, plus any other ailments that parent/carer feels the need to disclose)
- Cadet's sex or gender
- Cadet's ethnicity
- Cadet's religious belief
- Parent/guardian contact details (name, address, phone/email)

This data is collected from the parents/guardians directly for each cadet, it is not collected from the cadets themselves. Moreover, no direct phone or email contact will be made with the cadets at any time.

Our lawful reasons for collecting and processing personal data

The six lawful bases for processing personal data are set out in [Article 6\(1\) of the UK GDPR](#). These are as follows:

(a) Consent: the individual has given clear consent for you to process their personal data for a specific purpose.

(b) Contract: the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.

(c) Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations).

(d) Vital interests: the processing is necessary to protect someone's life.

(e) Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

(f) Legitimate interests: 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. NB: This cannot apply if you are a public authority processing data to perform your official tasks.

We will rely on the **consent** of parents/guardians and the fire cadets as the legal basis for storing and using the personal data of the cadets and their parents/guardians.

We will ensure that consent is freely given, specific, affirmative (opt-in) and unambiguous. Parents/guardians and the fire cadets are able to withdraw their consent at any time to some or all of this data. Obviously, depending on the type of data (e.g. a cadet's allergies or medical conditions), this may mean this it is not possible for a cadet to continue to participate in the scheme.

Special category data

[Article 9 of the UK GDPR](#) covers special category data. Special category data is personal data that needs more protection because it is sensitive. The nine types of special category data are as follows:

- personal data revealing racial or ethnic origin;
- personal data revealing political opinions;
- personal data revealing religious or philosophical beliefs;
- personal data revealing trade union membership;
- genetic data;
- biometric data (where used for identification purposes);
- data concerning health;
- data concerning a person's sex life
- data concerning a person's sexual orientation

Among the data listed above that we might collect about the fire cadets, the following types meet the definition of 'special category data' as set out in Article 9 of the UK GDPR.

- race
- religion or belief
- health data

When we talk about health data, we mean data relating to allergies and other medical conditions relevant to a cadet's safe participation in the scheme (e.g. making adjustments in relation to allergies or other relevant medical conditions). We do this so that we can look after the safety and welfare of the fire cadets and operate the fire cadets scheme safely, inclusively and effectively.

Other special category data (ethnicity and religious and philosophical beliefs) is collected to assist us in actively removing barriers to entry for under-represented groups and allow us to measure our performance against the public sector equality duty (Section 149 of the Equality Act 2010). However, this information does not have to be provided in order to participate in our cadets scheme.

We do not collect special category data on parents/guardians as this is not relevant to us being able to operate the fire cadets scheme.

In order to lawfully process special category data, we must identify both a lawful basis under Article 6 of the UK GDPR and a separate condition for processing under Article 9. There are ten conditions for processing special category data, which are as follows:

- (a) Explicit consent
- (b) Employment, social security and social protection (if authorised by law)
- (c) Vital interests (of the data subject)
- (d) Not-for-profit bodies
- (e) Made public by the data subject
- (f) Legal claims or judicial acts
- (g) Reasons of substantial public interest (with a basis in law)
- (h) Health or social care (with a basis in law)
- (i) Public health (with a basis in law)
- (j) Archiving, research and statistics (with a basis in law)

Our lawful basis for processing any special category data about cadets is the **explicit consent** condition as set out in Article 9(2)(a) of the UK GDPR. We will ensure that consent is freely given, specific, affirmative (opt-in) and unambiguous, and able to be withdrawn at any time, where practicable.

Because we rely on the explicit consent condition, we do not need to prepare an appropriate policy document, as this is only necessary when relying on the following Article 9 conditions for processing: (b) Employment, social security and social protection (if authorised by law); or (g) Reasons of substantial public interest (with a basis in law).

Who might we share your data with?

We will not share the data of any fire cadets or their parents/guardians with anyone outside of KFRS unless we feel that it is required during an emergency.

In the event of an emergency we may share medical data with medical professionals or other members of the emergency services as appropriate (e.g. during an emergency informing an ambulance crew of any allergies or relevant pre-existing conditions a cadet might have).

Where is the data stored?

Data of cadets and their parents/guardians is held in electronic format only on a dedicated SharePoint site with access restricted to only those employees who have a specified need. This is held in KFRS' document management system, which is hosted on a cloud-based server system.

Access to the data is restricted to the Education Manager, Customer Engagement & Safety, Fire Cadet Scheme Leader and Fire Cadet Supervisors. Fire Cadet Supervisors will have read only permissions.

How long will we hold your data for?

Personal data will be retained in accordance with the periods set out in KFRS' Publication and Retention Scheme (<https://www.kent.fire-uk.org/freedom-information-foi>)

Data of unsuccessful applicants, and their parents/guardians, will be deleted within one month of being informed they are unsuccessful. For those who are successful and enroll as cadets, more detailed data will be collected and their data, along with that of their parents/guardians, will be kept for 7 years after the end of the programme/when the cadet leaves.

What are my data protection rights?

Under data protection law, you have the following rights:

Your right of access

You have the right to ask us for copies of your personal information. You can ask to see it by making a subject access request. Guidance for making a request is available here: <https://www.kent.fire-uk.org/freedom-information-foi>

Your right to rectification

You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure

You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing

You have the right to ask us to restrict the processing of your personal information in certain circumstances.

Your right to object to processing

You have the the right to object to the processing of your personal information in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

If you wish to make a request, please contact us at:

Email: data.protection@kent.fire-uk.org

Telephone: 01622 692121

Address:

Kent Fire and Rescue Service
The Godlands
Straw Mill Hill
Tovil
Maidstone
ME15 6XB

How to complain

If you have any concerns about our use of your personal information, you can make a complaint to us using the contact information above.

You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:

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

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>