

# Privacy notice 30: Research

Date completed 16/08/2022

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](mailto:data.protection@kent.fire-uk.org)

Telephone: 01622 692121

## Why we collect and use personal data

This notice covers the provision, processing and re-use of personal data held by KFRS for research purposes, including data shared with outside bodies for the purposes of research. We undertake research to support the ongoing improvement and effectiveness of the services we offer. For example, we may collect and use personal data to understand whether our campaigns and actions are effective in making people safer (through influencing behaviour), or to research trends in areas in which we have a legitimate interest (such as fires in certain property types).

The personal information we process is provided to us directly by you for a number of reasons, including, though not limited to, primary research activities carried out by us directly with you, such as questionnaires, interviews and focus groups.

We also receive personal data indirectly. For example, we may commission external specialist agencies to collect personal data on our behalf, or obtain existing datasets from other organisations. In addition, we may re-use existing personal data that we currently hold, such as personal data relating to incidents that we have attended, for research purposes.

In addition, when you participate in one of our research projects, you will also be asked to voluntarily disclose personal and sensitive details related to protected characteristics such as race, gender, sexuality and religious beliefs. This is collected to allow us to meet our responsibilities under the Equality Act 2010. This is collected with your **consent**.

## The types of personal data we collect and process

Our research activities will use data held by KFRS generated from the services it delivers, and covered by other privacy notices in this suite as well as data collected directly from people specifically for stated research purposes.

The type of data we collect will be determined by, and vary according to, the nature of the research project, but, in general terms, when carrying out research the types of personal data that we may collect and process will include:

- Name
- Date of birth
- Contact details such as addresses, telephone numbers and email addresses
- Opinions of aspects of KFRS service or safety campaigns
- Online identifiers such as IP addresses and cookie identifiers; and other identifiers from which inferences as to your identity could potentially be made
- Protected characteristics under the Equality Act 2010 (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation)

## 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 obtain your consent to research activities that involve collecting fresh personal data directly from you and the use of that data (we call this **primary research**). We will rely on the

**consent** legal basis for these activities. We will stipulate in our study information sheet the date after which it will not be possible for you to withdraw your personal data for the stated research purpose.

Sometimes we may undertake research that uses existing data held by KFRS (we call this **secondary research**). When we do this we may also reuse existing personal data for a purpose that differs from the original purpose of the processing of that personal data. If we do so, we will obtain your **consent** to this and rely on the **consent** legal basis where practicable (UK GDPR Article 6(a)).

Where it is not practicable to gain consent we may rely on the **performance of a task carried out in the public interest or in the exercise of official authority** (UK GDPR, Article 6(e)) legal basis if the reuse of the personal data is targeted and proportionate to the performance of a task in the public interest. If we do so, we will set out within the research proposal the type of data, its source, the justification and the legal basis for the reprocessing. No personal data will be published in any of our outcome reports.

Performance of a task carried out in the public interest or in the exercise of official authority, requires a separate basis in law. This comes from the following:

- Our compliance with the requirements of [Section 6 of the Fire and Rescue Services Act 2004](#) for fire and rescue authorities to actively promote fire safety and fire prevention strategies. Undertaking research and using the information derived from that allows us to make our fire safety and fire prevention strategies more effective.
- The requirement placed upon us to meet the Public Sector Equality Duty as set out in [Section 149 of the Equality Act 2010](#). As part of this we actively seek to remove barriers to services in order to improve access to our services. In order to assist us in this, we may seek to gather information about some protected characteristics of our customers and research participants.

## 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, the following types meet the definition of 'special category data' as set out in Article 9 of the UK GDPR:

- disability
- pregnancy and maternity
- race
- religion or belief
- sexual orientation
- health data (medical conditions/physical and cognitive impairments)

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)

The special category data that we may process in relation to research is data on the protected characteristics as defined in the Equality Act 2010. Under the Equality Act 2010, as a public authority we have a public sector equality duty, so collecting this data allows us to better understand the characteristics of our customers and research participants which, in turn, supports our efforts to remove barriers to our services. However, participants do not have to provide this information in order to participate in our research activities, which is why in relation to any special category data, we rely on the **explicit consent** condition as set out in Article 9(2)(g) of the UK GDPR.

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?

To aid our research we will sometimes share with external partners some of your personal data that we have collected through our **primary research** activities. When we share data under these circumstances we will be doing so with an appropriate legal basis (**consent**) and in the knowledge that it is necessary for the purposes of that particular research project.

We will only share data collected from you through **primary research** activities where we have obtained your consent to do so. You will be informed at the outset of any research project you chose to take part in if, as part of that research project, your data will be shared with other external partners. We will also tell you the names and contact details of those partner organisations.

In addition, this will always be subject to a data sharing agreement being in place between KFRS and the external partner. Where possible, personal data will be anonymised or pseudonymised before sharing.

As part of a research project, any decision to share with external partners **existing personal data** held by KFRS, will be made on an individual project basis and documented in the research proposal along with the type of data, its source, the justification and the legal basis for sharing.

## **Where is the data stored?**

Agreements for research, and any outcome reports, will be stored within KFRS' document management system, which is hosted on our premises. Each research proposal will cover how data supplied will be treated, including any sharing with external specialist agencies, and destroyed when the purpose for which it was provided has been delivered.

## **How long will we hold your data for?**

Personal data collected for non-research purposes 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>)

Personal data collected for research purposes will be held only for as long as necessary to complete the research.

## **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](mailto: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>