

# Privacy notice number 31: Telemetry

Date completed 11/04/2023

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 and processing the data listed below.

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>

- Privacy notice 24: CCTV
- 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 data collected from the telemetry systems fitted to our fire engines, response cars and pool vehicles.

We have installed the system for the purposes of protecting our assets from illegal activities, such as theft, burglary, and fraud. We also want to provide mechanisms to minimise insurance losses through damage to our vehicles in the course of providing services across Kent and Medway and to ensure efficient use is being made of our vehicles.

Data derived from the telemetry system is also used to monitor driver behaviour on an individual basis. It is also in the public interest to reduce exposure to insurance claims against KFRS as this contributes to reducing public expenditure. Furthermore, data derived from the system will allow us to meet our legal duties in relation to avoiding personal use of our vehicles.

## The types of personal data we collect and process

Data on vehicle location, driving behaviour, including speed, acceleration and braking.

## 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.

In using telemetry, we will collect and use personal data. We will rely on the following lawful basis:

- **Public task** as set out in [Article 6\(1\)\(e\) of the UK GDPR](#). This states that 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.

**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 [Part 2 of the Fire and Rescue Services Act 2004](#) for fire and rescue authorities to make provision for fire safety, fire-fighting, road traffic accidents and other emergencies. The ability to use telemetry to make sure our assets are available when needed to respond to incidents, and are being driven in accordance with the law and our own policies are important functions that support us meeting the requirements of Part 2 of the Fire and Rescue Services Act 2004.

## 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 (injuries, treatment given my KFRS staff, medical conditions/physical and cognitive impairments)

However, none of the data listed above would be collected as part of this processing, meaning the additional responsibilities necessitated when processing Article 9 special category data are not applicable to this context.

## **Who might we share your data with?**

Data collected by telemetry may be shared internally with:

- Learning and development teams to plan and deliver driver training
- Finance teams for the purpose of calculating taxation liabilities
- Human Resources teams for the purpose of investigations under our code of conduct
- Teams involved in investigations into accidents involving KFRS' fleet
- Line managers for the purpose to appraising staff performance

Data collected by telemetry may be shared externally with:

- Her Majesty's Revenues and Customs for the purpose of reporting taxation liabilities
- Insurance companies and loss adjusters instructed by KFRS in defence of a claim against us
- The police in relation to any criminal investigations they may conduct

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

Data is collected through devices installed in vehicles. This is passed into cloud based servers owned and maintained by our supplier. We have assured ourselves of the security processes in place around this data.

Data can only be downloaded by Fleet Services staff as required at individual and overall level.

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

Telemetry data will be maintained for seven years within the supplier's network, at which point it will be securely destroyed.

Any data used as part of an accident investigation and/or insurance claim will be retained in accordance with the periods set out in section 11 of KFRS' Publication and Retention Scheme (<https://www.kent.fire-uk.org/freedom-information-foi>)

Any data used under KFRS' code of conduct will be retained in accordance with the periods set out in section 7 of KFRS' Publication and Retention Scheme (<https://www.kent.fire-uk.org/freedom-information-foi>)

## **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>