

# **Privacy notice 25: Specialist video and image capture for risk information gathering; Building Safety enforcement, investigation and enforcement activity; at incidents; at operational exercises; and during training**

**Date completed 01/10/2025**

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 15: Enforcement, investigation and prosecution activity
- Privacy notice 22: Regulation and consultation with businesses
- Privacy notice 26: Promoting public safety through videos and images at incidents, operational exercises and training – KFRS employees and volunteers
- Privacy notice 27: Promoting public safety through videos and images at safety events – members of the public
- Privacy notice 28: Promoting public safety through videos and images at events – employees and volunteers
- The overall privacy notice

## **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 specialist video and images (i.e. those taken by our 3D mapping cameras, drones, firefighting robot, incident command units, operational crews [using camera enabled mobile phones that form part of the equipment on fire appliances] and the Fire Investigation Team) for the purposes of: risk information gathering; Building Safety enforcement; investigation and enforcement activity; during incidents; as part of post-incident

scene examination; and operational exercises and training. This is what we collectively refer to as 'specialist video and image capture'.

Under [Part 2, Sections 6, 7, 8 and 9 of the Fire and Rescue Services Act 2004](#), we have a legal duty to make provision for, and discharge functions related to fire safety, fire-fighting, road traffic accidents and other emergencies.

Under the [Regulatory Reform \(Fire Safety\) Order 2005](#) we are responsible for ensuring the responsible persons are compliant with fire safety in non-domestic premises. This includes undertaking enforcement, investigation and prosecution activity against organisations or individuals who may be in breach of the Order.

Enforcing the Regulatory Reform (Fire Safety) Order 2005 would fall under one of our duties under Section 6 of the Fire and Rescue Services Act 2004, where we have a legal duty to promote safety (see Privacy notice 15: Enforcement, Investigation and Prosecution Activity for further information on this specific area of activity).

In order to discharge these duties effectively we use devices to record video and images of incidents we attend, operational exercises and training. We also use 3D mapping technology to support and improve our awareness and understanding of complex and higher risk premises and, from that, assist our ability to respond to incidents at such locations and assist with meeting our responsibilities under the Regulatory Reform (Fire Safety) Order 2005.

We use this data to:

- To aid locating and rescuing those at risk.
- To aid operational decision making.
- To understand the origin and cause of fires and other emergencies.
- To support our ability to learn from incidents, operational exercises and training sessions and thereby continue to improve our response and decision-making.
- To improve the quality of risk information we hold on complex and higher risk premises.
- To enhance our ability to meet our statutory duties related to building fire safety enforcement, investigation and prosecution ()

The use of specialist video and images may result in the inadvertent recording of living persons, however, this is unlikely to be identifiable imagery.

## **The types of personal data we collect and process**

When undertaking specialist image capture, we may collect and process the following types of personal data:

- Inadvertent recording of living people, however, this is unlikely to be identifiable imagery.
- Images or video of an identifiable person.
- Images of an identifiable person's property.

## 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.

When carrying out specialist image capture for the purposes set out in this privacy notice (i.e. for risk information gathering; Building Safety enforcement, investigation and enforcement activity; during incidents; as part of post-incident scene examination; operational exercises and training) we may collect and use personal data.

We will rely on the following lawful bases:

- **Compliance with a legal obligation** as set out as set out in [Article 6\(1\)\(c\) of the UK GDPR](#).
- **Vital interests** as set out as set out in [Article 6\(1\)\(d\) of the UK GDPR](#).
- **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.

Both **compliance with a legal obligation** and **performance of a task carried out in the public interest or in the exercise of official authority** require 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, and discharge functions related to fire safety, fire-fighting, road traffic accidents and other emergencies. Obtaining the types of specialist images described in this privacy notice, helps us to promote fire safety; meet our responsibilities under the Regulatory Reform (Fire Safety) Order 2005; locate and rescue

those at risk; resolve the incidents more effectively. It also supports our ability to learn from incidents, operational exercises and training.

We do not need to obtain your consent to take specialist images where employees and volunteers may in inadvertently be included and be recognisable, as the obtaining the specialist images is a necessary part of promoting fire safety; meeting our responsibilities under the Regulatory Reform (Fire Safety) Order 2005; resolving an incident, operational exercising or training. Moreover, there is a reasonable expectation that by attending, and receiving payment for doing so by KFRS, inadvertent photographs and recording of images of employees will take place.

This is different from the image capture at incidents, operational exercises and training by the Engagement Team that is set out in Privacy notice 26: Promoting public safety through videos and images at incidents, operational exercises and training – KFRS employees and volunteers.

## **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

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?**

Specialist images may be shared with other relevant agencies for the purposes of promoting fire safety; meeting our responsibilities under the Regulatory Reform (Fire Safety) Order 2005; preserving life; rendering assistance and aiding in resolving an incident; operational exercises; training and improving ways of working.

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

All imagery is captured on devices provided by KFRS, from where it may then be transferred to KFRS' document management system, which is hosted on a cloud-based server system.

Images captured on the specialised cameras used for the 3D mapping system are securely held by our supplier (Matterport) on their system. Their privacy policy can be accessed here: [Trust Center | Matterport](#)

Access to all data and systems set out in this privacy notice is restricted to those that require it for their role.

The use of personal devices for such imagery is forbidden and may be investigated under KFRS' code of conduct for employees.

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

Specialist images and footage recorded from incidents, will be retained in accordance with the periods set out in section 5 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>