

Privacy statement – Health & Safety - Accident/Incident reporting

How to contact us

Inverclyde Council will act as the 'Data Controller' in regard to the personal data you provide to us. The 'Data Controller' is based at Inverclyde Council, Information Governance, Municipal Buildings, Clyde Square, GREENOCK, PA15 1LY.

The Council's Data Protection Officer is Vicky Pollock. The Data Protection team can be contacted at dataprotection@inverclyde.gov.uk and by telephone on 01475 712498.

What information do we need?

The information may include details such as:

- name;
- address;
- telephone number; and
- email address.

Why we need this information?

Your personal information will be used to record information in relation to an accident or incident which has been reported as occurring on or within Council premises, or as part of the Council's service provision.

The Council needs to know this personal data in order to ensure that the Council has all relevant facts in relation to the accident/incident you have reported and any consequences to that accident/incident including personal or property damage. If you do not provide this information then the Council will be unable to record your involvement in this accident or incident and be unable to properly investigate it if required. The Council will not collect any personal data from you that isn't needed for the purposes of ensuring compliance with statutory legislation or for insurance purposes.

The Legal Basis for collecting the information is:

The Council has a legal obligation to process your personal information.

- Social Security (Claims and Payments) Regulations 1979 requires that an accident book/record is kept for employees.
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR 2013) requires that an accident record is kept where employees have been absent for over 3 days.

RIDDOR 2013 requires that records are kept for certain specified incidents including:

- Member of Public Taken to hospital
- Fatality
- Dangerous Occurrence
- Major injury
- Over 7 day incident
- Reportable disease

Special category data may be processed when it is necessary:

- for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment, or the management of health or social care systems;
- for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes

What we will do with your information?

All of the information we collect from you will be processed by staff in the United Kingdom.

Your information will be shared with the recipients or categories of recipients listed below:-

- Inverclyde Council Health and Safety Officers;
- Management within the department or service area in which the incident occurred;
- Health and Safety Executive where the incident is reportable under RIDDOR;
- Finance Insurance section where a claim has been received in relation to an accident/incident;
- Third party legal representatives upon receipt of a signed mandate;
- Council's Occupational Health Provider

All of the information we collect from you will be processed by staff in the United Kingdom.

The Council is legally obliged to safeguard public funds so the Council is required to verify and check your details internally for fraud prevention. The Council may share this information with other public bodies (and also receive information from these other bodies) for fraud checking purposes. The Council is also legally obliged to share certain data with other public bodies, such as HMRC and will do so where the law requires this.

The Council will also generally comply with requests for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate. The Council analyse your information internally to help us improve Council services. This data sharing is in the Council's full [privacy notice](#) on the Council's website. It also forms part of the Council requirements in line with our Records Management Plan approved in terms of the Public Records (Scotland) Act 2011

In general the Council does not transfer personal data outside either the UK or the European Union and on the rare occasions when it does so the Council will inform you. The Council will only transfer data outside the UK and the EU when it is satisfied that the party which will handle the data and the country it is processing it in will provide adequate safeguards for personal privacy.

How long will we keep your information?

The Council maintains a Policy for the Retention and Disposal of Documents and Records Paper and Electronic which sets out how long we hold different types of information for. This is available on the Council's website at <https://www.inverclyde.gov.uk/law-and-licensing/freedom-of-information> or you can request a hard copy from the contact address stated above.

Your Rights

When you provide information to the Council, you will have the following rights:

- To withdraw consent at any time, where the legal basis specified above is consent
- To request access to your personal data
- To object, where the Legal Basis specified above is: i) public task or ii) legitimate interests
- To data portability, where the Legal basis specified above is i) consent or ii) performance of a contract
- To request rectification or erasure of your personal data, as so far as the legislation permits
- To restrict processing in certain circumstances, for example if the information is not accurate

In addition, if you are unhappy with the way the Council has processed your personal data you have the right to complain to the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. By phone on 0303 123 1113 (local rate) or 01625 545 745. Visit their website for more information at <https://ico.org.uk/concerns> but you should raise the issue with the Council in the first instance.

Automated Decision Making

Automated decision making is not used for any of the purposes above.

More information:

For more details on how the Council processes your personal information visit <https://www.inverclyde.gov.uk/site-basics/privacy>

If you do not have access to the internet you can contact the Council via telephone to request hard copies of our documents.