

GAS SAFE REGISTER

Privacy Policy

June 2018

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1 Scope

This policy explains the rights of registered businesses and consumers as customers of Gas Safe Register when using our services and tells you what to expect. These rights are set out by the General Data Protection Regulation (GDPR) 2018. Data Protection legislation provides legal rights to living individuals in respect of personal information (personal data or sensitive personal data) which is collected and processed about them to give them some control over the information. It is important that information is always processed in a fair and lawful manner.

This document explains why we require your personal information, what we do with your information and what you can expect from us in return. It also explains how to obtain a copy of any personal information that we may hold about you.

This policy does not replace GDPR; it shows how Gas Safe Register will comply with legislation when processing personal information and applies to information we collect about:

- Visitors to GSR's website
- Business applying for and gaining registration
- Engineer qualifications and certificate of gas safety competence
- Consumers making complaints against registered and non-registered businesses
- Complaints against service
- Notification of heat producing gas appliances and hot water heating systems
- Incident investigations
- Sign-up consent to receive newsletter (registered businesses only)
- Order leaflets

The following principles will apply when we process your personal information:

- Your information will only be used for the purposes of gas safety and compliance with the Building Regulations
- Only information that we need is collected and processed
- Your information is only seen by those who need it to do their jobs
- Your information is retained only for as long as it is required
- Your information is accurate, as provided by you, and is only used for the intended purpose
- Decisions affecting you are based on reliable and up to date information
- Your information is protected from unauthorised or accidental disclosure
- You will be provided with a copy of information we hold on you, on request
- Procedures are in place for dealing promptly with any disputes

These principles will apply whether we hold your information on paper or in electronic form.

This Privacy Notice applies to all the data provided at the original point of collection and any subsequent additions, updates or amendments.

2 Lawful basis for the processing

The Health and Safety Executive's legal basis for the collection of Personal Data in relation to the Register is 'Processing is necessary for the performance of a task carried out in the exercise of official authority vested in the Controller under the Gas Safety (Installation and Use) Regulations 1998

The legal basis for the collection of the personal data listed in relation to the notification of gas work under the Building Regulations is to be confirmed.

3 Responsibility for your personal data

The data controller for any personal or sensitive personal information provided to or gathered by Gas Safe Register for the purpose of operating the Register is:

3.1 Great Britain

Health & Safety Executive
Redgrave Court
Merton Road
Bootle
L20 7HS

The contact details for HSE Data Protection Office is:

Data Protection Officer
Health & Safety Executive
Redgrave Court
Merton Road
Bootle
L20 7HS

3.2 Northern Ireland

Health & Safety Executive
83 Ladas Drive
Belfast
BT6 9FR

The contact details for HSE NI Data Protection Office is:

Data Protection Officer
Health & Safety Executive NI
83 Ladas Drive
Belfast
BT6 9FR

3.3 Isle of Man

Health & Safety Executive
Murray House
Mount Havelock
Douglas
IM1 2SF

The contact details for HSE IOM Data Protection Office is:

Data Protection Officer
Health & Safety Executive
Murray House
Mount Havelock
Douglas
IM1 2SF

3.4 Guernsey

Commerce & Employment Department (Which has responsibility for Health & Safety)
Raymond Falla House
Longue Rue
St Martins
Guernsey
GY1 6AF

The contact details for HSE Guernsey Data Protection Office is:

Raymond Falla House
Longue Rue
St Martins
Guernsey
GY1 6AF

3.5 Provider Details

The Gas Safe Register is operated under concession from the relevant Health and Safety Executive authority by:

Capita Gas Registration and Ancillary Services Limited (CGRAS)
17 Rochester Row
London
United Kingdom
SW1P 1QT

The contact details for Capita's Data Protection Officer is:

Data Protection Officer
Capita Plc
30 Berners Street
London
W1T 3AB

3.6 Building Regulations

HSE are Joint Data Controller for any personal or sensitive personal information provided to or gathered by Gas Safe Register for the purpose of Building Regulations because it instructs the Register to collect and process this data:

Health & Safety Executive
Redgrave Court
Merton Road
Bootle
L20 7HS

The contact details for HSE Data Protection Office is:

Data Protection Officer
Health & Safety Executive
Redgrave Court
Merton Road
Bootle
L20 7HS

The Joint Data Controller responsible for the decision to collect Building Regulations notification data is to be confirmed.

4 Nature and Purpose of the processing

The nature and purpose of the processing carried out by Gas Safe Register on behalf of HSE is:

Nature:

- Collection
- Recording
- Organisation
- Structuring
- Storage
- Retrieval
- Consultation
- Use
- Disclosure by transmission, dissemination or otherwise making available
- Alignment or combination

- Restriction
- Erasure or destruction
- Risk profiling

Purpose of Processing:

- To manage and maintain the Register of businesses and engineers who are approved to carry out gas work in Great Britain, Northern Ireland, Isle of Man, and Guernsey
- To verify the identity of businesses and engineers
- To verify that individual engineers hold the required qualifications, and that those qualifications are current
- To facilitate the notification of gas work as required by the Building Regulations (England or Wales), as notified directly by businesses or via approved third parties
- To identify individuals or businesses suspected of carrying out illegal gas work, and the work they are alleged to have carried out
- To enable appropriate consumer access to the Register so that consumers can verify the identity and work categories for a business or engineer
- To alert registered businesses and engineers to relevant gas safety information via safety alerts
- To provide witness statements and investigation reports to support the relevant Health and Safety authority for each area and local authority enforcement activity
- To risk profile registered businesses and engineers to determine inspection frequency
- To manage consumer and business / engineer complaints
- Management of the Gas Safe Register brand licences

Gas Safe Register will not process your personal information for the purpose other than which that information was collected. If this should change and there is intent to use the information for any other reason than that which the information was collected, we will provide you, prior to that further processing, with the information on that other purpose and any other relevant information.

5 What information does Gas Safe Register capture?

5.1 Registered Businesses

- Name
- Address, including postcode
- Telephone Number
- Email Address
- Employee Details
- Responsible Person Name
- Risk Rating and risk category
- Inspection history, and inspection findings accredited to the business including:
 - Any unsafe gas works

- Any in-scope gas work / Building Regulations work identified as not to current standards / not Building Regulations compliant
- Complaint history and findings accredited to the business including:
 - Any unsafe gas works
 - Any in-scope gas work / Building Regulations work identified as not to current standards / not Building Regulations compliant
- Registration history including:
 - Start and end date
 - Correspondence
 - Notes
- Sanctions history (including start and end dates of any suspensions)
- Building Regulations notification information, including:
 - Address of the property
 - Name of engineer who carried out the installation
- Banking and payment details (if direct debit set up):
 - Bank account name
 - Bank account number
 - Sort code
- Appeals against sanctions
- Complaints against service

5.2 Engineers

- Name
- Address
- Date of birth
- National Insurance number
- Photograph of individual
- Qualifications relating to gas work and the categories of gas work these qualifications enable the engineer to work on, including past (expired) qualifications
- Risk rating and risk category
- Inspection history, and inspection findings accredited to the engineer including:
 - any unsafe gas works
 - any in-scope gas work / Building Regulations work identified as not to current standards / not Building Regulations compliant
- Complaint history
- Registration history (start and end dates of registration)
- Employment history (businesses registered with, start and end dates)
- Sanctions history (including start and end dates of any suspensions)
- Appeals against sanctions
- Complaints against service

5.3 Registered Businesses, Engineers and Stakeholders - marketing information (optional)

- Business name
- Business address

- Contact details (name, job title, email address and contact telephone numbers)
- Type of business
- If a registered business or engineer, registration number

5.4 Suspected Illegal Gas Fitters / Unregistered Businesses Suspected of Carrying out Illegal Gas Work

- Name
- Business name
- Telephone number
- Address of business or individual
- Address where suspected illegal gas work carried out
- Details of the gas work carried out
- Findings from any inspections

5.5 Consumers - Complaints

- Consumer Name
- Consumer Address
- Consumer telephone number
- Consumer email address
- Complaint information:
 - Complaint history, including copies of documents
 - Details of work carried out
 - Installer details (business name, registration number, name of engineer)
 - Other parties (e.g. neighbours, landlord) – name, address, contact details
- Appeals against sanctions
- Complaints against service

5.6 Consumers – Notifications

- Consumer name
- Consumer address (where appliance installed)
- Consumer / householder email address
- Delivery address of certificate (if different to installation address)
- Registered business details (business name, registration number, installing engineer, engineer registration number)

5.7 Consumers – Marketing (optional)

- Consumer name
- Consumer email address
- Consumer postcode

5.8 Stakeholders

- Stakeholder name
- Stakeholder email address
- Stakeholder address & postcode

Call Recording

To help improve efficiency and effectiveness of some of the services provided to you by telephone we may keep a record of the call

6 Why we capture your information:

We will only hold your information:

- If you (or your employer) have registered with Gas Safe Register
- If you have taken any gas qualifications. Competencies are held by the Register to enable the maintenance of an accurate database
- If you have made a complaint to Gas Safe Register
- If we need to carry out an inspection following a complaint
- If an incident has taken place and we are investigating that incident
- Where you have authorised us, for the notification of gas work under the Building Regulations
- Where you have authorised a third party to notify gas work under the Building Regulations
- Where we receive a complaint or allegation about the undertaking of un-registered gas work
- You have opted in to receiving marketing communications

We do not capture or store information about visitors to our website www.gassaferegister.co.uk. However, users may choose to give us information such as their name, address, contact details or email for:

- Registration purposes
- Enquiries
- To sign up to our newsletter
- Ordering leaflets
- Submitting a form, or
- To tell us about an experience they may have had

Our website uses cookies and collects IP addresses. We use IP addresses to analyse trends, administer the website, track users' movement and gather broad demographic information for aggregate use. IP addresses are not linked to any personally identifiable information.

7 How will Gas Safe Register use my information?

7.1 Engineers

When you apply for registration or renew your registration we will use your contact information to:

- Deal with your requests and enquiries
- Send you key correspondence/information (e.g. invitation to renew your registration)
- Send you information about services or technical information
- Keep you informed of new content on GSR's website by way of email alert, or to follow up on the interest you have shown

- Manage and maintain your registration accounts and payments
- Modify and communicate with you about your account
- Use in the 'Find an engineer' and 'Check an engineer' functions on the consumer facing website
- Carry out bulk contractor/engineer registration checks on behalf of larger organisations
- Support gas safety, which might include (but not be limited to):
 - Liaison with relevant government agencies and departments, or other parties, in promoting and demonstrating gas safety
 - Determining one or more risk models and inspection regimes to be applied by Gas Safe Register, other bodies, or industry generally, and
 - Liaison with any employing business(s) if gas safety issues are discovered.
- Deal with complaints against service or appeals

7.2 Consumers

If you make a complaint to Gas Safe Register, by telephone or in writing, submit a form via our website, sign up to our eNewsletter or our appliance reminder service, order leaflets, tell us about an experience you may have had or agree to your engineer notifying your installation through Gas Safe Register, or a third-party we will use your personal information to:

- Deal with your requests and enquiries
- Contact you about any enquiry you have made
- Investigate your complaint. (We must disclose the complainant's identity to whoever the complaint is about. This is inevitable where for example; the complaint is against a registered business.)
- Produce a report following a complaint. Details such as the property address, contact details and a brief description of your concerns will normally be included
- Provide you with any services (e.g. send you the eNewsletter you have signed up to)
- Notify your new installation to your local Building Control office, following which we may offer you a free gas safety inspection
- Conduct satisfaction surveys and call audits, where we have your consent, to help drive quality and process improvements
- Analyse and report on our performance to our client, HSE

8 Sources of personal data

Gas Safe Register receives personal information from many sources, this is not an exhaustive list but includes:

- Registered business and engineers during:
 - Registration application
 - Renewal
 - When updating personal or financial information
 - When gas work is notified under Building Regulations directly by the business or via a third party
 - Following an inspection of a business and / or engineer
 - When complaints are made against businesses or engineers
- Members of the public when complaints are made against businesses and / or engineers
- Following an Incident investigation

- During a complaint against service
- Website file from Certification / Awarding Bodies when downloading engineer qualifications
- Manufacturers when gas work is notification via them under Building Regulations directly by the business or via a third party
- HSE, HSENI when requesting witness statements, for carrying out registration checks etc
- Regulatory Bodies (including the police and Trading Standards) when requesting witness statements, for carrying out registration checks etc

9 Recipients or categories of recipients of the personal data

Your information will only be seen by those whose jobs require them to do so. For example, Gas Safe Register staff conducting the various checks that are necessary for the registration of a business. Information may also be passed to other organisations and 'data sources' involved in the registration service. These are:

- **Health & Safety Executive** – searches will be made on the Register and information may be passed to local HSE inspectors in the areas where you work. In Great Britain this will be the Health and Safety Executive, in Northern Ireland this will be the Health and Safety Executive Northern Ireland, in the Isle of Man this will be The Health and Safety at Work Inspectorate, and in Guernsey this will be the States of Guernsey Health and Safety Executive
- **Government Departments** – from time to time information may be required by a government department either to assist in matters of national importance, or required under an act of parliament. Your information will only be provided in such circumstances where we are legally obliged to provide it i.e. under a statutory order or where to do so is reasonable and in the national interest
- **Regulatory bodies** – from time to time information may be required by regulatory bodies/enforcement agencies such as Trading Standards, Environmental Health, DWP (Department for Works & Pensions), Border Agencies, HMRC, Police etc. Your information will only be provided in such circumstances where we are legally obliged to provide it and/or their powers have been quoted
- **Local Authority Building Control** – where gas work is reported, local authority building control will have access to your information for the purposes of the Building Regulations. Only information necessary to perform this service will be made available. (Property address, type of work completed at the property, when the work was completed and which registered business completed the work)
- **Satisfaction surveys** – we may conduct, from time to time, customer satisfaction surveys and may employ a specialised organisation to conduct the survey on our behalf. The data used will be restricted to name, address and contact numbers
- **General public** – Details of business registrations will be made available via the website and telephone to the general public in two ways:

- **Find a registered business** - Unless a business specifically opts out of the service, the business details will be made available to the public through the 'find a registered business' service
- **Check an engineer** – All registered businesses and engineers are subject to verification by their customers. Registration details and competencies are available on the website and over the telephone to any member of the public requesting verification that the business/engineer is registered and suitably qualified to carry out gas work
- **Complaint Reports** – Following our investigation of a gas complaint we will provide a copy of our report, containing the complainant's details, as outlined in section 5.5, with the registered business and other parties such as landlords, as a result of inspection findings or concerns
- **Manufacturers** - Where gas work is reported via a manufacturer or other authorised partner, each will have access to your information for the purposes of gas work notification and compliance with Building Regulations. Only information necessary to perform this service will be made available
- **Third parties involved in running the service** – we use third-party suppliers to help deliver the service, these include:
 - **Capita ITES** – Provides IT infrastructure, support and development
 - **Capita Intelligent Communications** – Print and email fulfilment services. The printing of Building Regulation certificates of compliance. The fulfilment of ID cards, registration certificates, letters, reports etc
 - **CSS** – Payment/card transactions
 - **Borough IT** – Support and development of the Register's database
 - **GCI.Com** – Support and development of the Registers IVR service
 - **Intelecom (Puzzle)** – Support and operation of the Register's telephony service
 - **Accent** – Carrying out of satisfaction surveys
 - **Certification / Awarding Bodies** – download of candidate qualification results, personal details and photograph
 - **Manufacturers** – Provide a facility for registered businesses to notify their gas work
 - **Concep** – Management and delivery of email communication including eNewsletters

10 Disclosure of personal information

10.1 Freedom of Information Act 2000 (FOIA)

CGRAS operates the Gas Safe Register under concession from the Health and Safety Executive (HSE). Freedom of Information gives individuals or organisations the right to request recorded information from any public authority e.g. HSE. As CGRAS is a private company it is therefore not required or obliged to provide information under the Act.

CGRAS operates the Gas Safe Register scheme on behalf of the HSE. Freedom of Information requests received by CGRAS will therefore be passed to the relevant health and safety authority for a response. Any disclosure of information will be made by the relevant authority in accordance with the requirements of the Act.

10.2 Environmental Information Regulations 2004 (EIR)

The EIR operate in a similar way to FOIA although they relate specifically to environmental information and include information about air, water, soil, land, plants and animals, energy, noise, waste, emissions etc.

As above, any such requests received by CGRAS will be passed to the relevant health and safety authority for a response. Any disclosure of information will be made in accordance with the requirements of the Regulations.

11 Transfer of data to third countries and transfer mechanism safeguards

Information held by Gas Safe Register is held and processed in the UK and will not be transferred to a third country or international organisation outside of the European Union.

12 How long is information retained for?

Gas Safe Register will ensure that information is not held for longer than is necessary and for the purpose for which it is intended. All information of a confidential or sensitive nature will be securely destroyed in line with HSE instructions when it is no longer required.

Information provided as part of the registration, inspection, investigation, complaint and notification process will be retained by us for as long as is necessary, and for a total period of 10 years from the last activity against the registration.

13 Storage of information

Our system secures personally identifiable information you provide on computer servers in a controlled, secure environment, protected from unauthorised access, use or disclosure. We work to protect the security of your information by maintaining physical, electronic and procedural safeguards relating to the collection, storage and disclosure of personally identifiable customer information.

All our users' information, not just personal information, has restricted access. Our employees must use password-protected log-in screens to gain entry to restricted information. Our security procedures mean that we will request proof of identify before we disclose personal

information. Furthermore, all employees are kept up to date on our security and privacy practices.

14 How do I find out what personal information Gas Safe Register holds about me?

Gas Safe Register aims to be as open as it can be in terms of giving people access to their personal information. Individuals can find out if we hold any personal information by making a 'subject access request', which are usually free of charge, under Data Protection legislation. If we do hold information we will:

- Give you a description of it
- Tell you why we are holding it
- Tell you who it could be disclosed to and
- Let you have a copy of the information in an intelligible form

15 Exemptions to the right to subject access

You are entitled to see any information that we hold about you, with some specific exceptions as set out in Data Protection legislation. For example, we can refuse requests where providing data would be likely to prejudice:

- The prevention or detection of crime, or
- The privacy rights of a third party

16 How to apply for subject access

To make a request to Gas Safe Register for any personal information we may hold, you should put your request in writing (email is acceptable) addressing it to our Business Improvements Manager at the address details provided in section 23. The request must also include enough information to enable Gas Safe Register to:

- prove your identity, and
- identify and retrieve the information

Proof of identity should include a copy of a document from each of the following categories:

- a. **proof of name** – full driving license, passport or birth certificate
- b. **proof of address** – utility bill, bank statement, pension book or equivalent official document

Note: Any documents provided as proof of identity will be returned and no copies will be taken or held on our files.

A subject access request will only be processed once Gas Safe Register is satisfied that they are able to validate the identity of the individual making the request.

Gas Safe Register will aim to respond to these requests within one month of receipt, of the request and adequate proof of identity.

If you require any help in making a subject access request to Gas Safe Register please let us know. Alternatively, the Citizens' Advice Bureau may also be able to help. Likewise, if for the purpose of accessibility, you have any reason why this method of communication is not

suitable, please let us know so that reasonable adjustments can be made to aid your communication with us or access to our services.

Further information about making a subject access request, or an appeal can be obtained from the Information Commissioners Office (ICO) website <https://ico.org.uk/> or by contacting the Information Commissioner direct at the address below:

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

Tel: 0303 123 1113 or 01625 545745

Fax: 01625 524510

Email: registration@ico.org.uk

17 Right to Erasure (right to be forgotten)

The right to erasure does not apply to registration data collected for the regulatory purposes or data relating to complaints against businesses or engineers.

There are limited circumstances where this would apply. Any requests for the erasure of data can be made verbally or in writing. All requests made in writing should be sent to the address listed in section 23 stating what you require deleting and the reason why. Where a request is made verbally verification of the caller will be required. In all cases we may request that proof of identity, as described in section 16, is provided before we make any changes, especially where the request is made by persons other than the responsible person for a registered business or members of the public.

The right to erasure does apply to any marketing communications. Where we agree to delete your data, this may result in the termination of our services.

18 Right to Rectification

If you have any concerns about the accuracy of the personal information held by Gas Safe Register you should put your concerns in writing to us at the address listed in section 23. You should be clear about exactly what information we hold that you believe is inaccurate and how Gas Safe Register should correct it, providing evidence of the inaccuracies where available. Data Protection legislation only obliges organisations to keep information factually correct and cannot be used to alter or remove opinions unless those opinions themselves are based on inaccurate factual information.

19 Right to restriction of processing

Individuals have the right to the restriction or suppression of their personal data. This is not an absolute right and only applies in certain circumstances. This is an alternative to requesting the erasure of their data.

The right to restriction of processing does not apply to registration data collected for the regulatory purposes or data relating to complaints against businesses or engineers.

There are limited circumstances where this right would apply. Requests for the restriction of processing can be made verbally or in writing. All requests made in writing should be sent to the address listed in section 23 stating what data we should stop processing and why. Where a request is made verbally verification of the caller will be required. In all cases we may request that proof of identity, as described in section 16 is provided before we make any changes, especially where the request is made by persons other than the responsible person for a registered business or members of the public.

20 Automated decision making and profiling

Gas Safe Register operates a risk based inspection programme using a range of risk factors which are used to profile the risk applied to businesses and individual engineers employed by businesses in determining inspection frequency. These factors include:

- a. Certification / Awarding Bodies used for qualifications
- b. Engineer age
- c. Previous inspection history
- d. Unsafe gas work accredited to the business or engineer
- e. Complaint history
- f. Business size (number of employed engineers)
- g. Locations of the business' registered address or regional depot
- h. Qualifications and resultant work categories
- i. Scope of gas work undertaken e.g. domestic or commercial etc.
- j. Registration history

The factors used in the profiling of businesses have been identified through historic and statistical analysis as having an impact on the performance of a registrant

21 Complaints Against Service

Gas Safe Register tries to meet the highest standards when collecting and using personal data. We take any complaints we receive about this very seriously and encourage people to bring it to our attention if they think that our collection or use of data is unfair, misleading or inappropriate.

If you have any concerns or complaints regarding the processing of your personal data, our compliance with GDPR or the way that Gas Safe Register has used your information you should contact us at enquiries@gassaferegister.co.uk or write to us at the address listed in section 23.

You also have the right to lodge a complaint with the Supervisory Authority, the details of whom are:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire

SK9 5AF

Tel: 0303 123 1113 or 01625 545745

Fax: 01625 524510

Email: registration@ico.org.uk

Website: www.ico.org.uk

22 Changes to this privacy policy

We keep our privacy policy under regular review. This privacy policy was last updated May 2018.

If we decide to change our privacy policy, we will notify you of those changes via our website www.GasSafeRegister.co.uk. You will have a choice as to whether or not we use the information in this different manner. We will use information in accordance with the changed privacy policy unless you notify us otherwise.

23 How to contact us

If you have any questions or comments about Gas Safe Register's Privacy Policy you can contact us at:

Gas Safe Register
PO Box 6804
Basingstoke
RG24 4NB

Tel: 0800 408 5500

Fax: 01256 341501

Email: enquiries@gassaferegister.co.uk