

# Fair Processing Notice

The Policy and Resources Committee (P & R) is a public body that aids other States' Committees in numerous matters. The main duty of this committee is to co-ordinate policy including leading the policy planning process, the allocation and management of resources, including the States' budget and facilitating cross-committee policy development.

The Policy and Resources Committee is the 'controller' for all of the processes carried out directly under their scope.

The Director of Income Tax is a statutory position, therefore meaning that they are the 'controller' for any of their own processing activities.

The Census Supervisor is also a statutory position, therefore meaning that they are the 'controller' for any processing activities carried out by the Rolling Electronic Census.

The Policy and Resources Committee may process data in order to implement policies and programmes relating to:

- a) Leadership and co-ordination of the work of the States
- b) Fiscal policy, economic affairs, and the financial and other resources of the States
- c) External relations and international and constitutional affairs
- d) Other matters which have been delegated to the Committee including non-operational matters in an emergency to preserve life, wellbeing and law & order
- e) A number of corporate services as listed below.
- f) Internal Audit

The Policy and Resources Committee must exercise the power and duties conferred on it, oversee the delivery of, and to be accountable to the States for, any operational functions, conferred on the Committee, by way of legislation or resolutions of the States. In practice, the responsibilities listed above are delivered at an operational level by Officers of the Policy and Resources Committee through the following operational areas:

- States Treasurer:
  - Income Tax
  - Treasury
  - Procurement
- Chief Strategy and Policy Officer
  - External and Constitutional Relations
  - Regulatory and Financial Crime Policy

- Strategy and Policy
- Chief Information Officer
  - Information Systems and Service4s
  - State's Communications Team
  - Data Protection
  - Data and Analysis
  - The Hub (including Cadastre)
- Chief Operating Officer
  - Human Resources

## 1. The Data Protection Law

The Policy and Resources Committee and the controllers within acknowledge their obligations as per the Data Protection (Bailiwick of Guernsey) Law, 2017, which provides a number of requirements in terms of processing activities involving personal data. The controller further acknowledges the general principles of processing as well as the rights of a data subject and more information in relation to these provisions are provided within this fair processing notice.

## 2. The Principles of Processing

### a. Lawfulness, fairness and transparency

*Personal data must be processed lawfully, fairly and in a transparent manner.*

The processing activities undertaken with the Committee cover a broad scope. It is the intention of the Committee to provide further detail to the individuals whose information we manage and additional Fair Processing Notices will be published specific to the operational areas of the Committee.

In order to complete its functions, the controller collects personal data directly from the data subjects as well as from third parties. Where data is obtained indirectly, this will be, in most circumstances, from another Committee area of the States of Guernsey. In these circumstances you will be aware at the point of data collection who we may contact to confirm or verify the data you have provided, or to provide us with additional information so that we can deliver the service you are seeking. Information is only shared if we have lawful basis for doing so and in order to meet the purpose for which the information was collected.

Across the different work streams the committee handles, there will be opportunities for personal data to be shared via consent and 'Data Sharing Agreements'.

P & R will process the following personal data in order to carry out their duties:

- Basic data about individuals, such as name, address, date of birth
- Images including photos and CCTV
- Financial data
- Identification numbers such as passport details and social security numbers

P & R collect the following 'Special Category Data' (the most sensitive data as defined by data protection law) to carry out their duties:

- Health data
- Ethnic/Racial origin
- Trade Union membership
- Personal data concerning an individual's sexual orientation
- Criminal data
- Religious beliefs
- Political opinions

The personal data that is listed above is collected and processed in order to discharge the responsibilities of the Committee. The lawful basis for collecting and processing each individual category of personal data and special category data is dependent upon the specific processing activity in question, and this information is provided in further detail within the fair processing notices which are specific to each individual processing activity.

Where a data subject is asked to provide personal data (for example via a paper form, electronic form or email etc.) that individual will be provided with a website address or a link to the relevant fair processing notice which details all of the requisite information as required by the Law. All personal data (listed above) are collected and processed in a lawful manner in accordance with the Law. Schedule 2 (Conditions for Processing to Be Lawful) of the Law provides a number of conditions to ensure that the processing of personal data by a controller is lawful. The relevant condition varies according to the specific processing activity in each case, for a full list of conditions that the controller relies upon please click [here](#).

#### **b. Purpose limitation**

*Personal data must not be collected except for a specific, explicit and legitimate purpose and, once collected, must not be further processed in a manner incompatible with the purpose for which it was collected.*

The Committee and relevant operational areas acknowledge their responsibility with regards to this data protection principle and maintain they will not further process personal data in a way which is incompatible to its original reason for processing as specified in

section 2a, unless they are required to do so by law. The personal data will not be transferred to a recipient in an unauthorised jurisdiction (as per the definition within data protection law). In limited circumstances, data may be transferred to an authorised jurisdiction. Such transfers are infrequent, however a lawful basis for processing exists and appropriate safeguards are applied to the transfer of information.

#### **c. Minimisation**

*Personal data processed must be adequate, relevant and limited to what is necessary in relation to the purpose for which it is processed.*

The Committee and relevant operational areas maintain that they will only process the personal data which is detailed in section 2a, and will not process any further personal data that is not necessary in relation to the original reason for processing personal data as specified in section 2a, unless they are required to do so by law.

#### **d. Accuracy**

*Personal data processed must be accurate, kept up-to-date (where applicable) and reasonable steps must be taken to ensure that personal data that is inaccurate is erased or corrected without delay.*

The Committee and relevant operational areas will ensure that all personal data that is held is accurate and kept up-to-date, and any personal data that is inaccurate will be erased or corrected without delay in accordance with provisions of the Law or Ordinance as applicable.

#### **e. Storage limitation**

*Personal data must not be kept in a form that permits identification of a data subject for any longer than is necessary for the purpose for which it is processed.*

Personal data and special category personal data will be retained in accordance with the States of Guernsey Records Management Policy and the States of Guernsey retention and Disposal Schedule, together with any service area specific schedules and policies.

#### **f. Integrity and confidentiality**

*Personal data must be processed in a manner that ensures its appropriate security, including protecting it against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.*

Information Access - access to electronic or paper records is tightly controlled. Employees are vetted in a manner commensurate with the role that they are expected to undertake. Protocols are followed to ensure that employees only have access to areas and documents as required to undertake their role. Access is monitored and effectively managed.

Information Security - the Policy and Resources Committee and relevant operational areas adopt the information security standards of the States of Guernsey.

**g. Accountability**

*The controller is responsible for, and must be able to demonstrate, compliance with the data protection principles.*

The contact details of the controller are as follows:

The Policy and Resources Committee

Tel: 01481 717000

Email: [policyandresources@gov.gg](mailto:policyandresources@gov.gg)

The contact details for the Data Protection Officer of Policy & Resources are as follows:

Data Protection Officer, the Policy & Resources Committee and Corporate Functions

Tel: 01481 717000

Email: [data.protection@gov.gg](mailto:data.protection@gov.gg)