

# Fair Processing Notice

The Data & Analysis team, within the mandate of the Policy & Resources Committee to provide official statistics for Guernsey, undertake activities which involve the processing of personal data.

The Policy & Resources Committee is the controller for any personal data processed for:

- ) Periodic Household Expenditure Surveys
  - o used to ensure Guernsey's inflation indices remain accurate
- ) The <https://mydetails.gov.gg> system
  - o giving people the option to tell all areas of the States in one go, online, when they move home
- ) Emails and other correspondence
  - o for the purpose of requesting information and responding to enquiries and data requests

The Electronic Census Supervisor is the Controller for:

- ) Electronic Census Records
  - o for the purpose of providing socio-demographic statistics for Guernsey and Alderney
  - o in accordance with <http://www.guernseylegalresources.gg/article/109425/Electronic-Census-Guernsey-Ordinance-2013>

The Economic Statistics Supervisor is the Controller for:

- ) Economic Census Records
  - o for the purpose of providing economic statistics for Guernsey and Alderney
  - o in accordance with <http://www.guernseylegalresources.gg/article/177061/Economic-Statistics-Guernsey-and-Alderney-Law-2019>

## 1. The Data Protection Law

The controller acknowledges its obligations as per the Data Protection (Bailiwick of Guernsey) Law, 2017 ('the Law'), 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 can be found by visiting [www.gov.gg/DP](http://www.gov.gg/DP).

## 2. The Principles of Processing

### a. Lawfulness, fairness and transparency

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

This section summarises the personal data that is collected and how it is processed in relation to each of the activities noted above:

#### **Periodic Household Expenditure Surveys**

Contact details and availability information for households that have opted in to taking part in the Household Expenditure Survey are collected directly from the data subject, with their consent. Special Category data is not collected as a part of this survey and none of the obtained results are shared outside of the Data & Analysis team. The survey data itself is pseudonymised and is kept separate, at all times, from the contact details that could, if attached, enable it to be personally identifiable.

The Data & Analysis team process personal data for this purpose in accordance with section 1 of Schedule 2 of the Law, which states:

*“The data subject has requested or given consent to the processing of the personal data for the purpose for which it is processed.”*

#### **The <https://mydetails.gov.gg> system**

For customers that opt to use this mechanism to update the various service areas across the States (listed here: <https://mydetails.gov.gg/>) when they change address, personal data (name, date of birth, Social Insurance and Tax Reference numbers) is collected directly from the data subject (or their partner, spouse or guardian) along with the previous and new residential address of the residents that are moving home. A scanned or photographed copy of proof of address or identity is also collected in order for the information submitted to be validated. Special category data may be collected if present on the ID you provide for proof of identity, but this information is neither sought nor required for this purpose. This data is not shared beyond the service areas that the person has chosen (i.e. consented) to notify of the amendments to their address and with Data & Analysis for system monitoring and back-up purposes.

The Data & Analysis team process personal data for this purpose in accordance with section 1 of Schedule 2 of the Law, which states:

*“The data subject has requested or given consent to the processing of the personal data for the purpose for which it is processed.”*

### **Emails and other correspondence**

Contact details (names, email and postal addresses and phone numbers) are collected by Data & Analysis in order to provide information that is requested or to request information. No special category data is processed for this purpose and this information is never shared. This information is collected and processed solely for the purpose of corresponding with the data subject.

The Data & Analysis team process personal data for this purpose in accordance with sections 1 and 4 of Schedule 2 of the Law, which state:

*“The data subject has requested or given consent to the processing of the personal data for the purpose for which it is processed.”*

And,

*“The processing is necessary for the purposes of the legitimate interests of the controller”*

Furthermore, the processing of this personal data is considered to be within the legitimate interests of the controller as it allows for easier correspondence between the appropriate team and the data subject when answering a query or dealing with a complaint.

### **Electronic Census Records**

Since 1<sup>st</sup> January 2014, following the enactment of The Electronic Census (Guernsey) Ordinance, 2013, copies of information provided to various States service areas have been shared with Data & Analysis on a quarterly or annual basis in order that central census records can be compiled. The sources are as follows:

- The Revenue Service
- Social Security Benefits & Pensions
- Health and Social Care
- Population Management
- Driver Licencing and Vehicle Registrations
- Education Schools
- Education Universities
- Social Housing
- Electoral Roll

- Greffe Births & Deaths

The information shared with the controller for this purpose is as follows:

- Identifying details (name and internal reference numbers used by States of Guernsey service areas)
- Date of birth and death
- Country of birth
- Residential address
- Dates of arriving and exiting the Island
- Housing Control or Population Management Document type
- Driving licences, parking permits and vehicles
- Economic status
- School or University and year or course
- Income by source

The personal data processed for this purpose is only accessible to the Census Supervisor and Census Officers. Furthermore, this information will only be shared once it has been aggregated and anonymised so that data subjects can no longer be identified.

The Controller of the Rolling Electronic Census (The Census Supervisor) processes personal data for this purpose in accordance with section 8 of the Law, which states:

*“The processing is necessary for the controller to exercise any right or power, or perform or comply with any duty, conferred or imposed on the controller by an enactment.”*

### **Economic Census Records**

On 1<sup>st</sup> September 2020, following the enactment of the Economic Statistics (Guernsey and Alderney) Law, 2019, the Economic Statistics Supervisor was appointed. As yet, economic census records contain only company data and no personal data, however this notice will be updated when/if this changes.

### **IT infrastructure and data storage**

The States of Guernsey have a professional relationship with a third party supplier, Agilisys Guernsey Ltd., who provide support to and carry out maintenance on the IT infrastructure of the organisation. For Agilisys to carry out the function they are contracted to provide, there will be instances where they may have sight of your personal data. The Controller will only provide Agilisys with access to your personal data where there is a legitimate and lawful purpose for this access to be given in line with Schedule 2 of the Law and our internal policies and directives.

The Data & Analysis team also have a professional relationship with Digimap Ltd. for the provision of support and maintenance services for both Electronic Census Records and the mydetails.gov.gg system. In order for Digimap to carry out the function which they are contracted to provide, they will be given access to the personal data held by the Controller for the relevant purposes. The Controller will only provide Digimap with access to your personal data where there is a legitimate and lawful purpose for this access to be given in line with Schedule 2 of the Law and our internal policies and directives.

Your personal data may also be shared with the Scrutiny Management Committee ('SMC') and also the Internal Audit function of the States of Guernsey as may be required for the completion of their relevant functions. Any personal data shared with SMC and Internal Audit will be limited and processed in accordance with Sections 5 and 13(b) of the Law. Furthermore, neither Electronic Census Records nor Economic Census Records will be shared with SMC or Internal Audit.

#### **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 controller acknowledges its responsibility with regards to this data protection principle and therefore the controller maintains that it will not further process that personal data in a way which is incompatible to its original reason for processing as specified in section 2a, unless the controller is required to do so by law. The personal data will not be transferred to a recipient in an authorised or an unauthorised jurisdiction (as per the definition within data protection law).

#### **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 controller maintains that it 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 the controller is 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 controller will ensure that all personal data that it holds is accurate and kept up-to-date, and any personal data that is inaccurate will be erased or corrected without delay.

## **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.*

This section details how long the personal data will be held for and why the data is needed for that length of time, in relation to each of the activities noted above:

### **Periodic Household Expenditure Surveys**

The contact details will be destroyed once the final prize draw has been completed and winners have been notified. The raw survey data will be destroyed once the results have been published (within 2 years of completing the survey).

### **The <https://mydetails.gov.gg> system**

The master copy of address updates submitted via this system will be destroyed 2 years after the submission date. Copies issued to service areas will be retained / destroyed in accordance with the Terms and Conditions for the online service.

### **Emails and other correspondence**

Emails will be deleted once they are no longer required to carry out the purpose for which they were collected.

### **Electronic Census Records**

Raw data imports from service areas are destroyed 3 years after the date on which they are received. Centralised records are retained indefinitely, such that a simplified version can be published approximately 100 years after the census snapshot date, as per with a traditional paper-based census.

## **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.*

### **Periodic Household Expenditure Surveys**

The contact details are held in a master spreadsheet, but copies may exist in emails and on paper. The raw survey data is stored electronically only (with back up) and access is restricted to the Data & Analysis team only.

## **The <https://mydetails.gov.gg> system**

The master copy of address updates submitted via this system are stored electronically only (with back up) and access is restricted to the Census Supervisor only. Copies issued to service areas are sent in email or Comma Separated Values file format and are safeguarded as per the Fair Processing Notice for that service area.

## **Emails and other correspondence**

Any emails containing sensitive information or special category data will be sent using Egress Switch, allowing the data within the email to be protected from unauthorised access.

## **Electronic Census Records**

All records are stored electronically only (with back up). Full access is restricted to the Census Supervisor only. Census Officers have restricted access only.

### **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 & Resources Committee

Tel: 01481 717000 / 01481 717240

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

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

Data Protection Officer, the Policy & Resources Committee

Tel: 01481 717297

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