

Fair Processing Notice – Island Archives

Island Archives is the repository of the States of Guernsey; its strategic objectives are:

- i. To acquire, preserve and make accessible according to current legislation and guidelines the records of the States' Departments and Committees;
- ii. To acquire, preserve and make accessible according to current legislation and guidelines historical records acquired by purchase or deposit from parish authorities, public functionaries, institutions and private persons; and
- iii. To maintain and develop the Archives' research and advisory service to the States of Guernsey, other public bodies, and the community.

Island Archives was constituted by the States' resolution of 25 June 1986 to operate under the then States Ancient Monuments Committee. Subsequent Machinery of Government changes have since seen responsibility transferred to the Policy Council in 2003 and, more recently, the Committee *for* Education, Sport and Culture ('ESC') in 2016. As such, overall responsibility for Island Archives currently sits with ESC.

In ensuring that the relevant strategic objectives (as above) can continue to be met, Island Archives is routinely required to process personal data, and this fair processing notice provides a full account of our processing activities under the requirements of the Data Protection (Bailiwick of Guernsey) Law, 2017 (the Law).

The Committee for Education, Sport & Culture is the registered Data Controller for all processing activities summarized within this notice. Island Archives processes data on behalf of the Controller.

1. The Data Protection Law

The Controller acknowledges its obligations under 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 provisions can be found at 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.

In order for the Controller to be able to carry out its mandated responsibilities Island Archives routinely collects and processes personal data from various sources including:

- Committees and other sections of the States of Guernsey;
- Parish authorities;
- Public functionaries;
- Institutions; and
- Private persons.

Due to the nature of the work undertaken by Island Archives and specifically in relation to the maintenance of the Archives' Database the Controller will process a wide variety of personal data and special category data. The Controller will process this information by selecting, preserving and providing access to any personal data that is deemed to be historically relevant and which relates to the States of Guernsey, certain Crown (extra-judicial) and other public bodies as well as the history of the Bailiwick of Guernsey and its inhabitants. When processing personal data in this way, the condition for processing to be deemed lawful is that the processing is necessary for a historical or scientific purpose.

Island Archives also undertakes a records management role for the States of Guernsey. As such, records that have little historic value but need to be retained by the organisation for a specific period are stored by Island Archives. The lawful basis for the storage of this data is that the processing is necessary for the exercise of any function of the States or a public committee.

In addition to the above, the Controller will also process personal data for a number of other purposes; the table below lists each of Island Archives' information sources and operational functions alongside the subsequent personal data that is processed and the relevant condition which ensures that the processing activity is deemed to be lawful.

Information Source and its Operational Function	Personal Data	Lawful Basis for Processing
<p><u>Archives' Database</u></p> <p>This holds information (metadata) about records held by Island Archives created by States of Guernsey Committees, Crown, civil parishes, churches, organizations and other non-States of Guernsey depositors which is catalogued on an electronic database to enable the records to be indexed,</p>	<p><u>Personal data/special category data</u></p> <p>The Archives' database holds a variety of information which can include any categories of personal data or special category data.</p>	<p><u>Schedule 2, Part II, Condition 15:</u></p> <p>The processing is necessary for a historical or scientific purpose;</p> <p>and</p>

<p>searched, located and retrieved by Archives' staff.</p>		<p><u>Schedule 2, Part II, Condition 13:</u></p> <p>The processing is necessary for the exercise of any function of the States or a public committee.</p>
<p><u>Research Enquiries</u></p> <p>The name and contact details of researchers are collected in order to enable the Island Archives to respond to enquiries. A hard copy record of the correspondence is kept as evidence of the information and records made available to the enquirer. Some details are stored on a spreadsheet in order to enable the management of the enquiry. Personal data is destroyed 1 year after completion of enquiry.</p>	<p><u>Personal data</u></p> <p>Name and contact details.</p>	<p><u>Schedule 2, Part II, Condition 15:</u></p> <p>The processing is necessary for the exercise or performance by a public authority of a function that is of a public nature, or a task carried out in the public interest.</p>
<p><u>Data Protection – Information and Researcher Confirmation form</u></p> <p>Researchers wishing to access records potentially containing personal data and created in the last 100 years are required to complete and sign the form to be given access, to confirm their understanding of their responsibilities under the Data Protection (Bailiwick of Guernsey) Law, 2017, as amended.</p>	<p><u>Personal data</u></p> <p>Name, signature, address and contact details</p>	<p><u>Schedule 2, Part I, Condition 6:</u></p> <p>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 law - in this case, the Data Protection (Bailiwick of Guernsey) Law, 2017).</p>

<p><u>Accession forms</u></p> <p>Accession forms document the receipt of archival material acquired by Island Archives by donation or deposit from non-States of Guernsey depositors. Accession forms are signed by both sender and recipient, evidencing their agreement of the transfer of custody, and are a permanent record of what has been transferred to the Island Archives. The depositors' contact information is kept on file in case any queries arise, usually relating to access, use and reproduction of deposited material. The personal data is retained for the lifetime of the records donated or deposited as it may be needed for legal purposes to authenticate the provenance of archive collections.</p>	<p><u>Personal data</u></p> <p>Name, signature, address and contact details.</p>	<p><u>Schedule 2, Part I, Condition 2:</u></p> <p>The processing is necessary for the conclusion or performance of a contract to which the data subject is a party.</p>
<p><u>Photocopy request forms</u></p> <p>Enquirers' names and contact details are collected to enable Archives' staff to respond to reprographic requests. The personal data is destroyed upon completion of the request.</p>	<p><u>Personal data</u></p> <p>Name and contact details.</p>	<p><u>Schedule 2, Part II, Condition 15:</u></p> <p>The processing is necessary for the exercise or performance by a public authority of a function that is of a public nature, or a task carried out in the public interest.</p>
<p><u>Copyright declaration forms</u></p> <p>Enquirers' names and contact details are collected as a record of copies of material supplied to them for non-commercial research or private study purposes. The declaration form is required in order to comply with</p>	<p><u>Personal data</u></p> <p>Name, address and signature.</p>	<p><u>Schedule 2, Part I, Condition 6:</u></p> <p>The processing is necessary for the controller to exercise any right or power, or perform or comply with any duty,</p>

<p>Copyright legislation. Personal data is retained for 7 years.</p>		<p>conferred or imposed on the controller by law - in this case, the Copyright (Bailiwick of Guernsey) Ordinance, 2005.</p>
<p><u>Record retrieval forms</u></p> <p>Enquirers' names and contact details are collected as a record of the material that has been loaned and to whom. As the form is signed by the recipient, it is evidence of temporary transfer of physical custody. The personal data is retained for 7 years from the date of request.</p>	<p><u>Personal data</u></p> <p>Name, contact details and signature.</p>	<p><u>Schedule 2, Part I, Condition 2:</u></p> <p>The processing is necessary for the conclusion or performance of a contract to which the data subject is a party.</p>
<p><u>Visitors' book</u></p> <p>Names and addresses of visitors are voluntarily supplied as a record of who has visited and carried out research at the Island Archives. The personal data is retained permanently by the Island Archives.</p>	<p><u>Personal data</u></p> <p>Name and address.</p>	<p><u>Schedule 2, Part I, Condition 1:</u></p> <p>The data subject has requested or given consent to the processing of the personal data for the purpose which it is processed.</p>
<p><u>Accident register</u></p> <p>Record of accidents involving staff or visitors. Personal data retained for up to 40 years in line with the States of Guernsey Corporate Retention & Disposal Schedule.</p>	<p><u>Personal data</u></p> <p>Name.</p>	<p><u>Schedule 2, Part II, Condition 8:</u></p> <p>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 – in this case, the Health</p>

		& Safety at Work Law, 1987.
<p><u>Gift & hospitality register</u></p> <p>Information on gifts to Archives staff (copies of books etc.) with name of giver, collected in line with auditing best practice. Personal data retained for 15 years.</p>	<p><u>Personal data</u></p> <p>Name.</p>	<p><u>Schedule 2, Part I, Condition 4:</u></p> <p>The processing is necessary for the purposes of the legitimate interests of the controller or third party.</p>
<p><u>Receipt book</u></p> <p>Names of members of the public purchasing copies, collected in line with accounting best practice. Personal data retained for 7 years.</p>	<p><u>Personal data</u></p> <p>Name.</p>	<p><u>Schedule 2, Part I, Condition 2:</u></p> <p>The processing is necessary for the conclusion or performance of a contract to which the data subject is a party.</p>
<p><u>Invoices</u></p> <p>Names of members of the public purchasing copies. Invoices are normally generated for companies purchasing copies, or individuals overseas requesting copies. Collected in line with accounting best practice. Personal data retained for 7 years.</p>	<p><u>Personal data</u></p> <p>Name and address.</p>	<p><u>Schedule 2, Part I, Condition 2:</u></p> <p>The processing is necessary for the conclusion or performance of a contract to which the data subject is a party.</p>
<p><u>CCTV</u></p> <p>Footage from internal CCTV covering the research area. Footage is kept for 30 days then it is overwritten.</p>	<p><u>Personal data</u></p> <p>CCTV video/images.</p>	<p><u>Schedule 2, Part II, Condition 13A:</u></p> <p>The processing is necessary for a law enforcement purpose.</p>

ii. 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).

iii. 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.

iv. 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.

v. 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.

The Controller will retain personal data as specified within section 2a of this notice.

vi. 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.

All personal data held by the Controller is protected and securely stored and in order to prevent unauthorised or unlawful processing, the controller has put in place suitable

physical, electronic and managerial procedures to safeguard and secure the information that is collected. Access to electronic or paper records is tightly controlled.

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 organization. For Agilisys to carry out the function they are contracted to provide, there will be instances where they may have sight of personal data. The Controller will only provide Agilisys with access to personal data where there is a legitimate and lawful purpose for this access to be given in line with Schedule 2 of the Data Protection (Bailiwick of Guernsey) Law, 2017 and our internal policies and directives.

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. Furthermore, 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.

vii. Accountability

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

3. Contact Details

The contact details of Island Archives, acting on behalf of the Controller (ESC) are as follows:

Tel: 01481 224512

Email: archives@gov.gg

The contact details for the Data Protection Officer of Education, Sport and Culture (Samantha Nichols) are as follows:

Tel: 01481 220012

Email: data.protection@gov.gg