

Fair Processing Notice

The Committee *for* Health and Social Care have requested that a public consultation be undertaken in order to better understand the Bailiwick's perception of the period of lockdown. Furthermore, there is a desire to gather information from the public regarding their experiences throughout lockdown and their views on various matters, including travel, health and other relevant subject matters.

The survey itself will be overseen by the States of Guernsey Corporate Communications and Data & Analysis Teams. The controller of the personal data collected and subsequently processed in connection with this survey is the Policy and Resources Committee ('the controller').

1. The Data Protection Law

The controller acknowledges its obligations as per the data protection 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 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 of personal data collected through this online survey is necessary for the purpose of gaining a better understanding of the public's view and experiences of the period of lockdown which was implemented in response to the Covid-19 pandemic ('lockdown'). More specifically, the controller wishes to receive further information on the following matters:

- How the public felt about the restrictions that were put in place
 - Both the negative and positive views of individuals across the Bailiwick.
- Whether additional challenges were faced by individuals due to their personal circumstances, including individuals who:
 - Are a carer for school age children, a vulnerable individual or an individual with special needs

- Have a chronic physical or mental health condition
 - Are at risk of domestic abuse
 - Are critical workers
 - Have had their income reduced as a result of the Covid-19 pandemic
 - Were bereaved during lockdown
 - Were pregnant or have had a baby during lockdown
 - Have had close relatives in residential/care homes, the hospice or hospital during lockdown
- What the States of Guernsey did well, in the public's opinion, and what could have been done better in terms of:
 - Provision of information
 - Provision of services
 - The public's view on the States of Guernsey's recovery strategy and the perceived opportunities for and threats against the Bailiwick as we exit lockdown.

As part of this public consultation, the controller will ask a number of questions, some of which may result in information being collected which could identify you as an individual member of the public, thus constituting your personal data. The following categories and types of personal data may be processed by the controller in connection with this survey:

- Basic personal data including, but not limited to:
 - Gender
 - Year of birth
 - Country of birth
 - Island of residence
 - Employment data
 - Information relating to challenges you have and may continue to face
 - Information relating to your housing status
- Special category data including, but not limited to:
 - Health data

All of the personal data processed by the controller in connection with this survey has been collected directly from you. Upon receipt by the controller, all of the personal data provided through this online survey will be anonymised to an extent where you, as an individual, can no longer be identified from the information in question. The original personal data will be deleted as soon as practicable following its submission through the online gateway provided by the survey.

The personal data provided through this online form will be processed in accordance with the lawful basis set out in section 18 of Schedule 2 of the Data Protection (Bailiwick of Guernsey) Law, 2017 ('the Law'), which states:

“The data subject has given explicit consent to the processing of the personal data for the purpose for which it is processed”

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. In order for Agilisys to carry out the function they are contracted to provide, there will be instances where they may have sight of the personal data you submit through this survey. 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 Data Protection (Bailiwick of Guernsey) Law, 2017 and our internal policies and directives.

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 controller is collecting your personal data through a third party provider; Survey Monkey. Survey Monkey will act as a processor and the personal data collected will initially be stored in the United States of America, before it is extracted and deleted from the Survey Monkey platform. Given that Survey Monkey are certified under the EU-US Privacy Shield and apply standard contractual clauses to all international transfers, the transfer of your personal data to the United States of America is considered to be compliant with the relevant provisions of both the Law and the GDPR.

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.

Your personal data will only be stored for the period of time for which it takes the controller to anonymise the information you have provided in response to the survey. As soon as the information has been anonymised, the controller will delete all copies of your personal data from the various points of storage.

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.

Personal data may be held in both electronic and hard copy formats. Electronic data is held on secure States of Guernsey servers and hard copy data is stored in offices of the States of Guernsey.

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 controller adopts 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.

3. Contact Details

The contact details of the controller are as follows:

The Policy and Resources Committee

Tel: 01481 717000

Email: policyandresources@gov.gg

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

Data Protection Officer, the Policy and Resources Committee

Tel: 01481 717297

Email: data.protection@gov.gg

For information on your rights as a data subject under the Data Protection (Bailiwick of Guernsey) Law, 2017, please go to the following link: <https://gov.gg/dp>