

Fair Processing Notice

Cadastre ('the controller') operates under the Policy and Resources Committee and is responsible for the calculation, charging and collection of property taxation in the Bailiwick and maintenance of the Cadastre Register of Property Ownership. Cadastre also deals with public and professional enquiries relating to property taxation and ownership and assist parish constables, Guernsey Electricity and Guernsey Water with their billing systems through the use of the Cadastre Register.

The address of the Cadastre office is PO Box 475, La Route de la Ramee, St Peter Port, Guernsey, GY1 6BA.

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 activities undertaken within Cadastre are for the purpose of calculation, charging and collecting of property taxation within the Bailiwick of Guernsey. Cadastre have various data sharing agreements in place that allow the data they hold to be transferred to other services. These services include:

- States of Guernsey services
- The States of Alderney
- Parish Constables
- Waste Disposal Authority
- H.M. Greffe
- Guernsey Post
- Guernsey Water
- Guernsey Electricity
- Digimap Limited
- Legal professionals, e.g. property conveyancers
- Property professionals, e.g. estate agents, property management and architectural services

- Finance professionals, e.g. banks and mortgage brokers
- The Data and Analysis Team

The lawful basis for the processing and sharing of personal data by Cadastre is found in Schedule 2 of *The Data Protection (Bailiwick of Guernsey) Law, 2017* under section 5(a), and (b) which states:

5. *The processing is necessary for the exercise or performance by a public authority of –*
 - (a) *a function that is of a public nature*
 - (b) *a task carried out in the public interest*

and in the case of the Data and Analysis Team, the lawful basis for the processing and sharing of personal data by Cadastre is found in Schedule 2 of *The Data Protection (Bailiwick of Guernsey) Law, 2017* under section 8 which states:

8. *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.*

and in Section 12, 4(a) of *The Taxation of Real Property (Guernsey and Alderney) Ordinance, 2007*, which states:

4. *The Department shall make arrangements for –*
 - (a) *Public access to the Register*

and in Section 12, 4(a) of *The Alderney Property Tax Ordinance, 2020*, which states:

4. *The Committee shall make arrangements for –*
 - (a) *Public access to the Register*

Cadastre have a strict protocol in place that does not allow any of the services above to retain the data Cadastre share with them past when the purpose for which it was collected has been carried out. Please see the relevant data sharing agreement for further information.

Cadastre may collect, use, store and transfer different kinds of personal data which is detailed as follows:

- Identity data includes first name, maiden name, last name, date of birth, marital status, title and Cadastre owner reference number – This data is provided by the data subject, the authorised representative of the data subject, Cadastre or directly from public records at H.M. Greffe or Alderney Court Office and processed to enable property taxation to be charged to property owners and to maintain The Cadastre Register of Property Ownership.
- Financial data includes bank account data – this data is provided by the data subject and processed to administer payments by Direct Debit

- Contact data includes billing address, email address, former addresses and telephone numbers – this data is provided by the data subject, or their authorised representative, and processed to ensure that accounts, letters and any notices of change to a record, hard copy or digital, are correctly delivered to the appropriate point of contact.
- Property data includes residential address of owner, Cadastre number, delivery point ID(s) of CAF address(es) within the land parcel, transaction date.

If a Cadastre Officer is required to ask for proof of identification in order to carry out a public enquiry or request, special category data may be collected from the data subject (such as racial or ethnic origin and health data).

Cadastre will share identity data with a third party where:

- It is necessary to perform a contract, such as provide an account to a property owner or to confirm the legal ownership status of real property for a legitimate purpose.
- It is in the legitimate interest of Cadastre (or those of a third party) and your interests and fundamental rights do not override that interest.
- Where it is necessary to comply with a legal or regulatory obligation.

Cadastre will share financial data with a third party where:

- It is necessary to perform a contract, such as provide bank account information to maintain a Direct Debit agreement.
- The third party represents the data subject in respect of Tax on Real Property amounts charged, payments made or amounts due.

Cadastre will share contact data with a third party where:

- It is necessary to perform a contract, e.g. the contact information is required to facilitate the payment of an account.
- The data subject has given consent for the contact data to be shared the third party.

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.

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.

Upon a request from a member of the public to rectify any inaccuracies, a Cadastre Officer is required to ask for proof of identity and / or a copy of the relevant Act of Court before they make any amendments.

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.

Cadastre will retain personal data as follows:

- Identity and contact data will be retained for the historical purpose of maintaining the Cadastre Register of Property Ownership.
- Financial data will be retained for as long as is necessary to complete an individuals' payment liabilities.

Where the controller no longer considers there to be a lawful or legitimate basis to retain personal data, this information will be erased or destroyed in a safe and secure manner.

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 is held in both electronic and in 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 - Cadastre 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:

Cadastre, Policy & Resources Committee

Tel: +44 (1481) 221239

Email: cadastre@gov.gg

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

Data Protection Officer, Policy & Resources Committee

Tel: 01481 220012

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>