

# Fair Processing Notice

There is currently an emergency in the Bailiwick of Guernsey in connection with the threat to life and public health posed by the disease COVID-19. The States of Guernsey are using this survey (available in both online and paper format) in order to gain a better understanding of the possible healthcare needs of people who have had COVID-19. Of interest is how needs may differ according to which variant of the SARS-CoV-2 virus a person was infected with and how needs may differ according to whether a person was fully or partially vaccinated against COVID-19 at the time of their infection.

For the processing carried out by the Public Health Department in connection with this purpose, the controller is the Medical Officer of Health.

## 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 carried out on personal data submitted through this survey is necessary for the purpose of establishing and maintaining a strong understanding of the possible healthcare needs of people, like yourself, who have had COVID-19. The processing of information you provide will also assist the States of Guernsey in understanding how your needs may differ according to which variant of the SARS-CoV-2 virus you were infected with and whether you were fully or partially vaccinated against COVID-19 at the time of your infection. The Public Health Department will process this information for statistical purposes, in a suitably anonymised format.

The following categories and types of personal data will be processed by the controllers in relation to this purpose:

- Basic personal data
  - Name
  - Age
  - Sex
- Special category data
  - Health data
  - Information relating to their experiences of COVID-19

The health data will include the COVID-19 case status of an individual, symptoms they have experienced or continue to experience, the impact of these symptoms on their lives and their COVID-19 vaccination status. Data collected also includes their experiences of the care and advice received as well as any experiences on stigma and discrimination in relation to COVID-19.

All personal data provided for this survey (through the online form or via paper format) will be processed in accordance with the lawful basis set out in Section 1 and 18 of Schedule 2 of the Data Protection (Bailiwick of Guernsey) Law, 2017 ('the Law'), which state:

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

and,

*"The data subject has given explicit consent to the processing of the personal data for the purpose for which it is processed."*

All personal data processed by the Public Health Department, whether provided through the online or paper version of the survey, has been directly collected from you as an individual.

The personal data collected through this survey will be sent to the Public Health Department. The survey uses online Survey Monkey software. Survey Monkey has standard data protection contractual clauses allowing international data transfers and is a secure means of storage of special category data. A nominated officer of the States of Guernsey Communications Team may have sight of elements of personal data on downloading it for transferring to the Public Health Department. The processing they carry out on your personal data for this purpose will be limited and restricted. Your personal data will not be shared with any other third parties and will be subject to strict access controls to prevent your information being accessed without prior authorisation being granted.

## **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 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.*

The personal data you submit through this survey will be securely stored for a period of 2 years from the publication of the survey report before being deleted or shredded as appropriate. An anonymised set of data will be kept indefinitely in a secure location for future use by Public Health Department.

## **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 controllers 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.*

### 3. Contact Details

The contact details of the joint controllers are as follows:

The Medical Officer of Health

Le Vauquiedor, Rue Mignot, St. Andrew. Guernsey. GY6 8TW.

Email: [Nicola.Brink@gov.gg](mailto:Nicola.Brink@gov.gg)

Tel: 01481 225241

The contact details for the Data Protection Officer of the Committee *for* Health and Social Care are as follows:

Data Protection Officer, the Committee *for* Health and Social Care

Sir Charles Frossard House, La Charotterie, St Peter Port, Guernsey, GY1 1FH

Tel: 01481 220012

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