

Fair Processing Notice

The Parole Review Committee (the “controller”) is established under the Parole Review Committee Law, 1989.

Parole is a form of discretionary release from custody which enables a period of supervision in the community under licence conditions.

The controller considers applications for early release on Parole Licence as referred to it by the Committee *for* Home Affairs.

1. The Data Protection Law

The controller acknowledges its obligations as per the Data Protection (Bailiwick of Guernsey) Law, 2017 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.

In order for an application for Parole to be considered by the controller, and for the controller to carry out its function, it must collect personal and special category data.

The data that is collected in relation to the Parole applicant for this purpose may include, but is not limited to, the following:

- the name, date of birth, marital status and intended address of the data subject;
- the data subject’s criminal data; and
- any relevant health data.

The controller may also collect and process the following personal and special category data relating to parties other than the parole applicant:

- Personal and special category data, including medical and criminal data, contained within a victim impact statement relevant to the offence and the application for early release;
- Personal data relating to witnesses, including, but not limited to, their name, date of birth and address.

- The names of officers and employees who may submit reports relating to the parolee's application.

The lawful basis for processing is that it is necessary for controller to exercise its function and that it is necessary for the controller to comply with the duties imposed on it by the Parole Review Committee (Guernsey) Law, 1989.

The name and date of birth of the data subject is required for identification purposes. The data subject's intended address is required in order for the controller to consider its suitability and for a Home Circumstance Report to be completed by the Guernsey Probation Service. Information relating to the data subject's criminal data and relevant health data is required in order for the controller to process and consider the data subject's eligibility for early release.

As required by the Parole Review Committee Law, the following agencies provide data to the controller for their relevant purposes:

- Her Majesties Procureur;
- Her Majesties Greffier;
- the Guernsey Police Force;
- the Guernsey Probation Service and / or the Youth Justice Service; and
- the Guernsey Prison.

The controller will share the data collated with its members, with the secretary and staff who support this function, with the data subject, who will have an opportunity to comment or correct any information, and with any representative of theirs, such as their advocate.

Agilisys Guernsey Ltd. provide support to and carry out maintenance on the IT infrastructure of the organisation. For Agilisys to carry out the function which 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 the controller maintains that it will not further process 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 it holds is accurate and kept up-to-date, and that 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 controller will keep personal data and special category data relating to, and identifying, the data subject until the earliest date of release (date of automatic release from custody and / or supervision) or until the end of any period of extended supervision (extended sentence licence), as required for operational reasons.

Once the earliest date of release has passed and / or the period of extended supervision has concluded, the controller will keep an anonymised statistical database for the purpose of providing management information.

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.

The controller maintains to process all personal data and special category data with appropriate levels of security.

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. All data is stored and handled in line with the relevant States of Guernsey Policies and Directives. All information is stored on a secure drive. Information collated for circulation in hard copy is locked to protect it from unauthorised and unlawful processing.

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 Parole Review Committee

Tel: 01481 227353

Email: parole@gov.gg

The contact details for the Data Protection Officer responsible for the Committee *for* Home Affairs are as follows:

Data Protection Officer, the Committee *for* Home Affairs

Tel: 01481 220012

Email: data.protection@gov.gg

3. Data Subject Rights

The Data Protection Law provides you as an individual with certain rights. The most commonly used right is that of the 'right to access' under section 15. Individuals can ask whether any information is held about them by an organisation, and request copy of that information. Subject access requests can be placed on the gov.gg website at <https://gov.gg/dp>, or by contacting the controller or data protection officer at the details listed above.

The Law also provide you with other rights, not least the right to complain to the regulatory authority. More information about all your rights can be found at <https://gov.gg/dp> and through the Office of the Data Protection Authority at <https://www.odpa.gg/>.