

**Response to a Question Pursuant to Rule 14  
of The Rules of Procedure of the States of Deliberation and their Committees**

**Subject:** Travel Tracker Data  
**States' Member:** Deputy G A St Pier  
**Date received:** 11<sup>th</sup> January 2022  
**Date acknowledged:** 11<sup>th</sup> January 2022  
**Date of reply:** 20<sup>th</sup> January 2022

**Questions**

- a) What are the principles underpinning the retention policy for Travel Tracker data?
- b) What is retention policy for Travel Tracker data?
- c) Who has access to the Travel Tracker data, under what conditions and for what purposes?
- d) Under what circumstances would the information be made available to others (e.g. law enforcement, Revenue Service etc.)
- e) How frequently and what is process by which the retention policy is reviewed?

**Response**

- a) What are the principles underpinning the retention policy for Travel Tracker data?

The States of Guernsey recognises its obligations as per the Data Protection Law, which provides a number of requirements in terms of the collation, processing and retention of personal data. The principles underpinning the retention of data in respect of the Travel Tracker are therefore treated in accordance with this law.

Furthermore, active consideration is given to the following principles from the Data Protection Law in every instance that personal data is processed through the Travel Tracker:

**i. Lawfulness, fairness and transparency**

Personal data must be processed lawfully, fairly and in a transparent manner.

**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.

**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.

**iv. Accuracy**

Personal data processed must be accurate and where applicable, kept up-to-date, and reasonable steps must be taken to ensure that personal data that is inaccurate is 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.

**vi. Integrity and confidentiality**

Personal data must be processed in a manner that ensures its security appropriately, including protecting it against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

b) What is retention policy for Travel Tracker data?

As the emergency response to Covid has continued to be unpredictable on a number of levels it has proven difficult to conclusively establish a static retention policy with the level of confidence needed to ensure that we won't later require data that might have been deleted for a public health purpose. The Bailiwick's response to Covid-19 has had to continually evolve based on the evidence and intelligence available and developments within the Bailiwick and externally. The response team, on behalf of its community, has had to do its very best to adapt and facilitate changes sometimes in real time and at key milestones. As a result, data has been regularly reviewed to ensure it continues to be required for the Controller's relevant purposes and the data protection fair processing notice updated incrementally in order to inform members of the public of the manner in which their data is being processed as matters have progressed.

The personal data which has been collected through the Travel Tracker continues to be processed and analysed for the purpose of supporting our understanding of the contribution and impact that travel into and out of the Bailiwick has had on the various waves of infection experienced within the Bailiwick to date. This analysis of data, which is anonymised for statistical purposes, continues to hold importance

should the Bailiwick find itself in a position where we had to rollback and increase travel restrictions in response to a further Variant of Concern, as we have experienced with Omicron.

Following a review of relevant data retention procedures undertaken in late December, Officers are actively working towards implementing a 90-day retention policy for all Travel Tracker data with the intention to delete data as soon as 90 days have passed since receipt or processing of such data by the Controller.

- c) Who has access to the Travel Tracker data, under what conditions and for what purposes?

All relevant Data Controllers with permitted access to Travel Tracker data have participated in the completion of the associated Data Protection Impact Assessments (DPIA) and work to agreed principles and purposes for which such access has been granted. There are several different access levels that allow different officers who work on and support the government’s response to be able to see only that personal data which is necessary for the purpose of their role (with test results data being subject restricted access). At this current time, the Controllers with access to the data collected and processed through Travel Tracker are Bailiwick Law Enforcement, Health and Social Care, Public Health and The Policy and Resources Committee. Moreover, the teams that have access to Travel Tracker data include:

Data Controller	Reason for access	Legal basis for processing
Law Enforcement (Guernsey Border Agency & Police)	Isolation compliance – investigation of reported breaches of self-isolation orders	<p>The processing is necessary for a law enforcement purpose, specifically safeguarding against or preventing public threats to security;</p> <p>The processing is necessary for reasons of public health and is carried out with appropriate safeguards for the significant interests of data subjects; and</p> <p>The processing is necessary to protect vital interests of the individuals and those who they may pose a risk of contaminating</p>

Health & Social Care (Scheduling and Testing Teams)	Booking and carrying out testing as required as a result of travel	The processing is necessary for reasons of public health and is carried out with appropriate safeguards for the significant interests of data subjects
Public Health (Contact Tracing and Resulting Teams)	Assessing travel history, requirements for testing and accessing test results	The processing is necessary for reasons of public health and is carried out with appropriate safeguards for the significant interests of data subjects
Policy & Resources (Covid Customer Care Team)	Supporting members of the public in answering queries, providing advice and assistance on Travel Tracker completion, undertaking checks on vaccination certification, assisting the Scheduling team in arranging test bookings as a result of travel and to identify any IT and/or system errors for immediate fixes	The processing is necessary for reasons of public health and is carried out with appropriate safeguards for the significant interests of data subjects; and  The data subject has given explicit consent to the processing of the personal data for the purpose for which it is processed.
Policy & Resources (Agilisys)	Issuing IT and IT system fixes as well as providing ongoing IT development in accordance with the response necessary	The processing is undertaken in support of the relevant Data Controllers activities and thus carried out in accordance with the lawful basis relied upon by that Data Controller.

- d) Under what circumstances would the information be made available to others (e.g. law enforcement, Revenue Service etc.)

The information we hold for Travel Tracker purposes was specifically requested and collected as part of the emergency for health purposes. As a result, in accordance with the purpose limitation principle within the Data Protection Law, the personal data collected for this purpose is not shared with any services or third parties for any

purpose that is not directly related to and required for the Covid-19 response (as set out in the table above). Furthermore, we will not share Travel Tracker data with any service or third party for a purpose which is not related to the Covid-19 response, unless we are specifically required to do so by Law.

e) How frequently and what is process by which the retention policy is reviewed?

The process of reviewing the retention of Travel Tracker data and the implementation of data retention policies in support of this process is managed and overseen by the Covid-19 5C Programme Board which meets on a weekly basis. The processing, safeguarding and retention of data is a standing item on this agenda as to ensure our obligations under the Data Protection Law continue to be considered on an ongoing basis.

The Covid-19 Fair Processing Notices (FPN) and retention of data have been subjects to regular consideration throughout the entirety of the Covid-19 response and guidance and web content has been consistently updated during the evolution of the emergency response in order to keep members of the public informed of the manner in which their personal data is being processed for the relevant purposes. The collation and retention of Travel Tracker data continues to form part of these ongoing considerations.

**Deputy Peter Ferbrache**  
**President**  
**Policy & Resources Committee**