



Fair Processing Notice for Income Support

Version 0.7
07/12/2021

Document Control

Version	Date	Author	Comments
0.1	22/06/2021	SM	First draft detailing the FPN and its purpose
0.2	12/08/2021	SM	Updated the appendix identifying data processing purposes for Income Support
0.3	29/09/2021	CF	Reviewed previous updates and amended appendix, separating basic and special category data.
0.4	w/c 1/11/2021	CF & SC	Updating appendix with detailed IS processes.
0.5	08/11/2021	CF & GG	Added investigation processes to appendix.
0.6	16/11/2021	NH	Consolidation and Lawful Basis
0.7	07/12/2021	CF	Final review / amendments

Fair Processing Notice

Income support is a means tested benefit that enables all households in Guernsey and Alderney to access financial support sufficient to ensure an acceptable standard of living. If a person's household income is not sufficient to meet their needs (requirement rate) then income support will offer financial assistance to bring their household income up to the required level.

This notice explains how Income Support process your personal data. Throughout the notice we refer to 'processing'. In terms of the Data Protection (Bailiwick of Guernsey) Law, 2017, 'processing' means use of personal data, which includes recording, storing, editing, sharing and analysing data.

Income Support sits under The Committee for Employment and Social Security and is the registered data controller for all activities which are summarised within this notice and are undertaken in accordance with its core mandate and legislative requirements.

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 special and personal data. The controller further acknowledges the general principles of processing as well as the rights of a data subject, more information in relation to these provisions are provided within this fair processing notice.

For more information about the rights of a data subject, please visit www.gov.gg/dp .

The Controllers acknowledge that all processing of personal data must be lawful, fair and undertaken with transparency. **Appendix A** (please see below) explains all of the processing which is being undertaken within the areas of Income Support.

The Controllers have implemented a strict protocol across their respective services in this area which ensures that personal data is not retained, by any of the teams set out above, past the point in time when the purpose for which the personal data was collected and processed has been carried out. Where the relevant 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. If you wish to receive further information regarding how long your personal data will be retained, please contact the relevant controller and their Data Protection Officer using the contact details below.

The controller may also share your personal data with another Department within the Committee of Social Security or another department within the organisation if it is considered both necessary and lawful for a purpose connected to the processing or if required by Law.

The States of Guernsey have a professional relationship with a third-party supplier, Agilisys Guernsey Limited, 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 may be instances where they may have sight of your personal data. Shared services 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.

Your personal data may also be shared with The Scrutiny Management Committee ('SMC') and also the internal audit function of The States of Guernsey as may be required for the completion of their relevant functions. Furthermore, any personal data shared with SMC and Internal Audit will be limited and processed in accordance with Sections 5 and 13(b) of the Law.

The controller will share personal data, where appropriate, with the Registrar of the Register of Contact Details ('the Registrar'), as may be requested by the Registrar in accordance with their powers under the Register of Contact Details (Guernsey and Alderney) Law, 2019. Furthermore, the Registrar has granted the controller with access to the personal data contained within the Register of Contact Details ('the Register') for the purpose of carrying out the relevant functions explained within this fair processing notice. The controller will only process the personal data contained within the Register where there is a legitimate and lawful basis for doing so and in accordance with both the Data Protection Law and the Register of Contact Details Law.

2. Contact Details

The contact details of the controller are as follows:

The Committee for Employment and Social Security

Edward T. Wheadon House
Le Truchot
St Peter Port
GY1 3WH

Tel: 01481

Email: employmentandsocialsecurity@gov.gg

The contact details for the Data Protection Officer of the Office of the Committee for Employment and Social Security are as follows:

ESS Data Protection Officer

Tel: 01481 220012

Email: data.protection@gov.gg

Appendix A

Processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing
<p>Income Support claim/enquiry including claim building and claim maintenance.</p>	<p>Basic Personal Data:</p> <ul style="list-style-type: none"> • Full name, phone number, email address, address, gender, date of birth, social security number, financial data, employment data, right to work, lease/tenancy agreements. • Power of attorney arrangements to act as an appointee where appropriate <p>Special Category Data:</p> <ul style="list-style-type: none"> • Health data 	<p>Where appropriate Employers, Medical practitioners, Advocates, Law Officers,</p> <p>Banks</p> <p>Law Enforcement.</p> <p>MAPPA, MARAC & MASH agencies.</p>	<p>Determination of eligibility for income support and to build and administer new claims, as well as ongoing claims.</p> <p>To make instruction to banks re benefit payments</p> <p>Prevention / detection of fraud and purposes of public protection</p>	<p>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.</p> <p>The processing is necessary for a health or social care purpose and is undertaken by a person who in the circumstances owes a duty of confidentiality which is equivalent to that which would arise if the person were a health professional;</p>
<p>Sickness Benefit (top up)</p>	<p>Basic Personal Data:</p> <ul style="list-style-type: none"> • Name, date of birth, employment data. <p>Special Category Data:</p> <ul style="list-style-type: none"> • Health data 		<p>Processing for the purpose of sickness benefits via medical certificate where applicant is not eligible for benefits and needs income support top up.</p>	<p>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;</p>

Processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing
Claims appeals process	<p>Basic Personal Data:</p> <ul style="list-style-type: none"> Name, telephone number, address, reason why appealing decision, any accompanying documents customer has chosen to send, including financial data. <p>Special Category Data:</p> <ul style="list-style-type: none"> Health data 	<p>Within ESS departments (with the administrator).</p> <p>Tribunal Team</p> <p>Law Officers where appropriate</p>	<p>To facilitate review and process appeal.</p>	<p>The processing is necessary for the exercise of any function of The States of Guernsey;</p> <p>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.</p>
Benefits re unemployment	<p>Basic Personal Data:</p> <ul style="list-style-type: none"> Name, date of birth, social security number, employment related data <p>Special Category Data:</p> <ul style="list-style-type: none"> Health data 	<p>ESS (unemployment benefit team) to Employer.</p> <p>Employment status to the determining officer team</p>	<p>To determine disqualification parameters as a result of job loss.</p>	<p>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.</p>

Processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing
Confirmation of benefit status to primary care practices including dentist and chiropody etc.	Basic Personal Data: <ul style="list-style-type: none"> Name, date of birth, social security number, fact in receipt of income support 	ESS to Healthcare Practices	To process medical orders for claimants on Income Support	<p>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;</p> <p>The processing is necessary for a health or social care purpose and is undertaken by a person who in the circumstances owes a duty of confidentiality which is equivalent to that which would arise if the person were a health professional;</p>
Legal Aid eligibility Legal aid would send a form	Basic Personal Data: <ul style="list-style-type: none"> Name, address, social security number, amount of benefit in receipt of. 	ESS to Advocates or Legal Aid	Eligibility and qualification for legal Aid benefit	<p>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.</p> <p>Consent</p>

Processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing
ESS Gas discount scheme.	<p>Basic Personal Data:</p> <ul style="list-style-type: none"> Name, address, social security number, telephone number, email, financial data, gas account number/statement, household composition. 	ESS & Islands Energy Group	Processing applications to determine eligibility for the gas discount scheme	<p>Consent to processing.</p> <p>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;</p>
School uniform grant scheme.	<p>Basic Personal Data:</p> <ul style="list-style-type: none"> Parent's name, address, social security number, financial data, email, telephone, household composition. Child's name, age / date of birth and school attended. 	ESS with Education	<p>Processing to determine eligibility for the school uniform grant scheme</p> <p>Notification to Education of customers who received the uniform grant. On consent only.</p>	<p>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;</p> <p>On consent of processing</p>
Claimants request for lost benefit voucher	<p>Basic Personal Data:</p> <ul style="list-style-type: none"> Name, address, social security number, financial data. 	<p>Bank</p> <p>Law enforcement</p>	<p>To determine repayment of income support.</p> <p>Prevention and detection of fraud.</p>	<p>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;</p>

Processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing
Income support claims via individuals prior to and upon release from prison.	<p>Basic Personal Data:</p> <ul style="list-style-type: none"> Name, date of birth, date received in prison, likely release date of prisoner. 	<p>Where appropriate Employers, Medical practitioners, Advocates, Law Officers,</p> <p>Banks</p> <p>Law Enforcement.</p> <p>MAPPA, MARAC & MASH agencies.</p>	<p>To facilitate income support claims and amendments as required.</p> <p>Or to process new claims as appropriate for prison being released.</p>	<p>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;</p>
Facilitation and administration of equipment and associated grants.	<p>Basic Personal Data:</p> <ul style="list-style-type: none"> Name, address, social security number and date of birth. 	Healthcare practitioners	To assess eligibility and arrange payment for equipment grant.	The processing is necessary for a health or social care purpose and is undertaken by a person who in the circumstances owes a duty of confidentiality which is equivalent

Processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing
	<ul style="list-style-type: none"> Confirmation of benefit status. <p>Special Category Data</p> <ul style="list-style-type: none"> Health data. 	Sure telecoms	Installation and maintenance of Lifeline equipment.	to that which would arise if the person were a health professional;
Back to Work Benefits claim or enquiry (to include agreement of gradual return to work and/or back to work bonus application)	<p>Basic Personal Data:</p> <ul style="list-style-type: none"> Full name, DOB, address, telephone number, email and address, type of benefit claiming for, employment data, financial data. <p>Special Category Data:</p> <p>Health data</p>	<p>Data may be shared between medical practitioner and/or employer in order to verify the claim or to facilitate a return to work, if required</p> <p>Revenue Service</p> <p>Banks</p>	<p>Determination of entitlement to social security benefit and to build and administer approved Back to Work claims, to update and maintain claims, and to determine continuation or termination of existing claims.</p> <p>To make instruction to banks re benefit payments</p>	

Processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing
Applications for extra needs allowance	<p>Basic Personal Data:</p> <ul style="list-style-type: none"> Name, date of birth, address, telephone number, email address and social security number. <p>Special Category Data:</p> <ul style="list-style-type: none"> Health data. 	Healthcare practitioners	To determine eligibility for extra needs allowances	<p>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;</p> <p>The processing is necessary for a health or social care purpose and is undertaken by a person who in the circumstances owes a duty of confidentiality which is equivalent to that which would arise if the person were a health professional;</p>

Processing activity

Providing a wage slip, childminding details, bank statement or other documentation via the GuernseyUploads mobile app.

Personal data

Name, Social Security Number, Financial Data

Special category

Health data

Data sharing

Purpose of processing

To determine ongoing eligibility for

Lawful Basis for processing

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.