

Fair Processing Notice – Corporate Customer Feedback & Complaints

The States of Guernsey Customer Charter tells you, our customers, what level of service you should expect from us as an organisation. The level of service we provide and the satisfaction of our customers is very important to us and this is why we encourage you to send us compliments, complaints or feedback about your experience as we strive to deliver services which are:

- Courteous and fair;
- Timely and efficient;
- Accessible and provide choice;
- Accurate and relevant;
- And provide the opportunity to give feedback and be heard.

This fair processing notice does not belong to one single Committee, Service Area or Data Controller, but belongs to the States of Guernsey as a whole, with the exception of the service areas who follow their own bespoke complaints and feedback procedures. For further information on the services this notice does not apply to, please click [here](#).

This notice provides information in relation to how your personal data will be processed by the States of Guernsey and the relevant controllers for the purpose of receiving and handling your feedback and complaints submitted in relation to your experiences in accessing our services, and any subsequent escalations and appeals.

1. The Data Protection Law

The States of Guernsey and the relevant controllers acknowledge their obligations as per the Data Protection (Bailiwick of Guernsey) Law, 2017 ('the Law') which provides a number of requirements in terms of processing activities involving personal data. The States of Guernsey and the relevant controllers further acknowledge the general principles of processing as well as the rights of a data subject and more information in relation to these can be found by visiting www.gov.gg/dp.

2. The Principles of Processing

a. Lawfulness, fairness and transparency

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

The States of Guernsey and the relevant controllers acknowledge that all processing must be lawful, fair and must be undertaken with transparency. The table (Appendix A) explains all of the processing that will be undertaken by the relevant controllers across the organisation for the purpose of receiving and handling feedback and complaints submitted in accordance with our Corporate Customer Feedback Procedures.

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. In order 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. Agilisys will only be provided 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.

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 conditions 5 and 13(b) of Schedule 2 of the Law.

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 States of Guernsey and the relevant controllers acknowledge the requirements of this data protection principle and will not further process personal data in a way which is incompatible to its original reason for processing as specified in Appendix A, unless 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 States of Guernsey and the relevant controllers will only process the personal data detailed in Appendix A, and will not process any further personal data that is not necessary in

relation to the original reason for processing as specified in Appendix A, unless 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 States of Guernsey and the relevant controllers will ensure that all personal data held and processed for the purpose of this notice is accurate and kept up-to-date, and that any inaccurate personal data 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.

All personal data relating to feedback or complaints submitted in accordance with our Corporate Customer Feedback Procedures will be retained by each controller for as long as is deemed necessary and in accordance with the States of Guernsey's corporate retention and disposal schedule.

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 format in which personal data may be held is both hard copy and electronic format and will vary depending on the controller responsible for processing your feedback and complaint.

Personal data is protected by the States of Guernsey's information access procedures, whereby access to records and data is tightly controlled. Employees are vetted in a manner commensurate with the role 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.

The States of Guernsey and relevant controllers have restricted premises which employees are required to use key cards to access in order to safeguard information from the public. Secure filing cabinets and drawers are also provided for additional storage and security.

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 controller responsible for processing the personal data will vary depending on the service to whom you are submitting feedback or a complaint. For further information as to the contact details of the controller's subject to our Corporate Customer Feedback Procedures, please visit www.gov.gg/dp or contact our Data Protection Team using the contact details below:.

The contact details for the States of Guernsey Data Protection Team are as follows:

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

Email: data.protection@gov.gg

Appendix A

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing
<p>Processing Activity: Processing of personal data for the purpose of handling customer feedback. This will be in form of one of the following:</p> <ol style="list-style-type: none"> Comments - an observation or a statement made by one or more members of the public that are not looking for a solution or a response from the States' Body. This may also be a suggestion to a particular service area e.g. a suggestion for improvement to a service. Compliments - an expression of esteem or praise for the services provided by a States' Body or its staff by one or more members of the public. 	<p>Full name, contact details, address, reference and identification numbers and any other information provided within a data subject's feedback or complaint.</p> <p>Personal data is collected directly from the data subject, or a complainant submitting a complaint or feedback which contains the data subject's personal data.</p> <p>Personal data may also be sought by the controller from any third party who may hold information relevant to your complaint or feedback.</p>	<p>If a complainant wishes to escalate their complaint, personal data will be shared with the relevant Service Lead or Director of Operations to review and consider the complaint.</p> <p>It may be necessary for a service areas to share personal data with the States of Guernsey Human Resources Department, should a complaint be made in respect of a staff member, or their conduct, rather than service delivery.</p> <p>Personal data may also be shared with an assigned Senior Officer if an investigation into</p>	<p>The processing of personal data is necessary for the purpose of receiving and recording feedback from customers and reviewing, investigating and responding to individual's complaints, including the handling of any subsequent escalations, reviews and appeals.</p>	<p>The data subject has requested or given consent to the processing of the personal data for the purpose for which it is processed.</p> <p>The processing is necessary for the exercise or performance by a public authority of a function that is of a public nature, or a task carried out in the public interest.</p> <p>The processing is necessary for the controller to exercise any right or power, or comply with any duty,</p>

<p>3. Complaints - an expression of dissatisfaction by one or more members of the public about the standard of service that the States' Body provides or fails to provide including those that are provided on behalf of that States' Body. A complaint may also be made against staff member(s), should a customer feel they have been mistreated or should it be deemed by the customer that they have not adequately fulfilled their duties. It excludes statutory appeals or other matters subject to statutory procedures.</p> <p>Controller: the controller responsible for processing your feedback and/or complaint will vary depending on the service area to whom it relates.</p>		<p>the data subject's experiences is deemed to be necessary.</p> <p>Should a complaint be made in respect of a staff member(s), personal data may be shared with the accused officer and also witnesses and other associated officers should the complaint be investigated.</p> <p>The States of Guernsey Data & Analysis (D&A) team are provided access to the customer feedback information for statistical analysis and reporting. D&A will only process information relevant to the reporting and will remove all identifying information from the final report.</p> <p>If the complainant wishes to request a review of the outcome of the</p>		<p>conferred or imposed on the controller by an enactment.</p> <p>The processing is necessary for the exercise of any function of the States.</p> <p>The processing is authorised by regulations made by the Committee for this purpose.</p> <p>The data subject has given explicit consent to the processing of the personal data for this purpose.</p> <p>The processing is necessary for a historical or scientific (statistical) purpose.</p>
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