

# Fair Processing Notice

This Fair Processing Notice explains all of the processing that is being undertaken by the various Committees of the States of Guernsey (“SoG”) in response to the current public health emergency posed by the COVID-19 pandemic. This Fair Processing Notice does not belong to one single Committee (or “controller” - as defined by the Data Protection (Bailiwick of Guernsey) Law, 2017 – “the Law”), but belongs to the SoG as a whole. This notice provides information in relation to all of the processing that is being undertaken for the purpose of preventing, controlling and mitigating the impacts of this virus. The notice also provides information about processing that is being undertaken in order to provide financial assistance to local businesses and Islanders due to the ancillary impacts of the virus.

## 1. The Data Protection Law

The SoG acknowledges its obligations as per the Data Protection Law, which provides a number of requirements in terms of processing activities involving personal data. The SoG further acknowledges 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](http://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 SoG acknowledges that all processing must be lawful, fair and must be undertaken with transparency. The table (Appendix A) explains all of the processing that is being undertaken by the States of Guernsey for the purpose of preventing, controlling and mitigating this emergency. The table lists all of the circumstances that personal data is collected by the SoG, it outlines which Committee is responsible for collection, what that Committee is doing with the data (including who it is being shared with) and it also explains the purpose of the processing.

### 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 SoG acknowledges its responsibility with regards to this data protection principle and therefore the SoG 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 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 that it holds is accurate and kept up-to-date, and any personal data that is inaccurate will be erased or corrected without delay. **This**

### **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 will be retained by each controller for as long as the Medical Officer of Health (MoH) considers necessary in order to prevent, control and mitigate the risks to life and public health posed by the disease COVID-19. It will be erased or kept in a form that does not permit identification of data subjects as soon as MoH considers that it is no longer necessary to retain that data for those purposes or the purpose of any proceedings or potential proceedings (including any legal proceedings, or complaints to or investigations by the Data Protection Authority).

### **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 the personal data may be held is both hard copy and electronic format.

Data is protected by the implementation of the SoG's Information Access where 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.

Secured Premises & Filing – the SoG 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 draws 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 are as follows:

The Medical Officer of Health

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

Email: [publichealth@gov.gg](mailto:publichealth@gov.gg)

The Committee for Health and Social Care

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

Email: [healthandsocialsare@gov.gg](mailto:healthandsocialsare@gov.gg)

The Policy & Resources Committee

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

Email: [policyandresources@gov.gg](mailto:policyandresources@gov.gg)

The Committee *for* Environment & Infrastructure

Raymond Falla House, Longue Rue, St. Martin. Guernsey. GY1 6AF.

Email: [environmentandinfrastructure@gov.gg](mailto:environmentandinfrastructure@gov.gg)

The Committee *for* Economic Development

Market Building, PO Box 451, Fountain Street, St Peter Port. Guernsey. GY1 3GX.

Email: [enquiries@guernseyregistry.com](mailto:enquiries@guernseyregistry.com)

The Chief Officer of Police

Police Headquarters, Hospital Lane, St. Peter Port. Guernsey. GY1 2QN.

Email: [hq@guernsey.pnn.police.uk](mailto:hq@guernsey.pnn.police.uk)

The Joint Emergency Services Control Centre

Police Headquarters, Hospital Lane, St. Peter Port. Guernsey. GY1 2QN.

Email: [contact@jescc.gov.gg](mailto:contact@jescc.gov.gg)

The Social Investment Fund

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

The Committee *for* Employment & Social Security

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

Email: [employmentandsocialsecurity@gov.gg](mailto:employmentandsocialsecurity@gov.gg)

Population Management

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

Email: [population@gov.gg](mailto:population@gov.gg)

The contact details for the SoG Data Protection Team are as follows:

The Data Protection Team

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

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

## Appendix A

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing
<p>Controller: Guernsey Border Agency and Guernsey Police.</p> <p>Processing Activity: Collection of personal data of individuals arriving into the Bailiwick of Guernsey by Customs, Immigration or Police Officers stationed at airports and ports on behalf of MoH. The data is collected directly from the arriving individuals or from aircraft/ferry operators or their agents and provided to Public Health.</p>	<p>Name, date of birth, Bailiwick of Guernsey address where self-isolation will occur, landline number of the above address, mobile number, email address nationality, satisfactory proof of identity, and a medical sample (nose and throat swab)</p>	<p>Customs, Immigration or Police Officers stationed at the airport upon your arrival, aircraft/ferry operators and any others involved in the collection of this data on behalf of MoH or sending this data to MoH;</p> <p>Any other person performing functions under the Coronavirus Regulations;</p> <p>Officers and agents of the SoG, States of Alderney or Chief Pleas of Sark, and any professional or data protection advisors, assisting or advising MoH in connection with her functions; and</p> <p>Any other person the MoH considers necessary, in order to prevent, control and mitigate risks to life and public health posed by the diseased COVID-19.</p>	<p>To prevent, control and mitigate the risks to life and public health posed by the disease COVID-19. MoH may use the data to:</p> <p>Contact individuals immediately upon commencing their mandatory self-isolation and for any further period where there may be a risk to their health or a risk that they have/might have contaminated other individuals;</p> <p>To ensure compliance with self-isolation;</p> <p>To assess whether individuals present, or could present, a risk of contaminating others; and</p> <p>If necessary, to impose further restrictions/requirements or taken any action that MoH considers necessary.</p>	<p>The processing is necessary for MoH to exercise her powers or perform her duties under the Emergency Powers (Coronavirus) (Bailiwick of Guernsey) Regulations, 2020;</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;</p> <p>The processing is necessary for a law enforcement purpose, specifically safeguarding against or preventing public threats to security; 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>

<b>Controller and processing activity</b>	<b>Personal data</b>	<b>Data sharing</b>	<b>Purpose of processing</b>	<b>Lawful basis for processing</b>
<p>Controller: MoH.</p> <p>Processing activity: Personal data collected directly from individuals confirmed to have Coronavirus.</p>	<p>Full name, full name of proxy (if used), date of birth, gender, address, landline and mobile telephone number, symptoms experienced, healthcare treatment information, information regarding employment/school/ day care/nursery, name/age of other individuals living in the household and symptoms/travel history of anyone else in the household or any visitors of the household.</p>	<p>As above.</p>	<p>As above.</p>	<p>As above.</p>
<p>Controller: MoH.</p> <p>Processing activity: Personal data collected from individuals who have been in contact with the confirmed case whilst the confirmed case was symptomatic and 24 hours prior to the confirmed case being symptomatic.</p>	<p>Full name, gender, date of birth, nationality, address, landline and mobile telephone number, email address, relationship to confirmed case, public transport information and details of any other travel, details of employment, medical history and any signs/symptoms.</p>	<p>As above.</p>	<p>As above.</p>	<p>As above.</p>

<b>Controller and processing activity</b>	<b>Personal data</b>	<b>Data sharing</b>	<b>Purpose of processing</b>	<b>Lawful basis for processing</b>
<p>Controller: MoH.</p> <p>Processing activity: Case reports provided to MoH by World Health Organisation (WHO), Public Health – France and Public Health – UK.</p>	<p>Full name, gender, date of birth, residency, recent travel information, medical history and any signs/symptoms.</p>	<p>As above.</p>	<p>To share information about contacts of known cases with other jurisdictions; and</p> <p>To submit case information to the WHO via the Public Health England UK Overseas Territories link as a formal registration of cases and outcomes.</p>	<p>As above.</p>
<p>Controller: MoH.</p> <p>Processing activity: COVID-19 Testing.</p>	<p>Health data.</p>	<p>As above; and</p> <p>PHE Colindale UK (test laboratory).</p>	<p>As above.</p>	<p>As above.</p>
<p>Controller: HSC.</p> <p>Processing activity: Sharing of personal data regarding vulnerable individuals.</p>	<p>Address of vulnerable members of the public.</p>	<p>States Trading and Supervisory Board and local utility and fuel companies.</p>	<p>To ensure that vulnerable members of the public are prioritized for essential utility and fuel services.</p>	<p>The processing is necessary to protect vital interests of data subject or any other individual.</p>



<b>Controller and processing activity</b>	<b>Personal data</b>	<b>Data sharing</b>	<b>Purpose of processing</b>	<b>Lawful basis for processing</b>
<p>Controller: Guernsey Police and Guernsey Border Agency (Customs &amp; Excise and Immigration &amp; Nationality Service).</p> <p>Processing activity: Investigation of reported breaches of self-isolation orders.</p>	<p>Full name and any other details provided by members of the public in relation to reported breaches of self-isolation orders.</p>	<p>MoH and officers working directly to the MoH.</p>	<p>To prevent, control and mitigate the risks to life and public health posed by the disease COVID-19. Guernsey Police and Guernsey Border Agency (Customs &amp; Excise and Immigration &amp; Nationality Service) may use the data to ensure compliance with self-isolation.</p>	<p>As above.</p>
<p>Controller: P&amp;R/MoH.</p> <p>Processing activity: Collection of data via gov.gg online forms directly from individuals who are self-isolating.</p>	<p>Full name, email address, landline and mobile telephone number, postcode, age, employment status, information relating to reported challenges faced by individuals self-isolating and health data.</p>	<p>MoH and officers working directly to the MoH and any others involved in the collection of this data on behalf of MoH or sending this data to MoH (including, but not limited to, the SoG Data and Analysis Service).</p>	<p>To assist MoH in establishing and maintaining a strong understanding of how COVID-19 is affecting the Bailiwick and its inhabitants.</p> <p>To provide MoH with information regarding people who are self-isolating at any given time and the challenges individuals are facing during their period of isolation, with the potential to offer support to those in need.</p>	<p>The data subject has given explicit consent to the processing of the personal data for the purpose for which it is processed.</p>

<b>Controller and processing activity</b>	<b>Personal data</b>	<b>Data sharing</b>	<b>Purpose of processing</b>	<b>Lawful basis for processing</b>
<p>Controller: Committee <i>for</i> Environment and Infrastructure.</p> <p>Processing Activity: Provision of contact details for contact tracing purposes.</p>	<p>Names, dates of births, contact details and addresses of individuals and others present at the same residential address.</p>	<p>Guernsey Police, Guernsey Border Agency and Public Health.</p>	<p>To provide additional contact details in circumstances where MoH are unable to contact the person of interest in relation to contact tracing.</p>	<p>The processing is necessary for MoH to exercise her powers or perform her duties under the Emergency Powers (Coronavirus) (Bailiwick of Guernsey) Regulations, 2020; and</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.</p>
<p>Controller: Committee <i>for</i> Economic Development.</p> <p>Processing activity: To process personal data for the purpose of providing Coronavirus Business Support.</p>	<p>Full name, contact details (home/work/email address/contact number), bank account details, occupation, employee details (names, numbers, salary information) and Income Tax and Social Insurance Number.</p>	<p>Committee for Employment &amp; Social Security (Social Security);</p> <p>Policy and Resources Committee (Shared Transaction Services); and</p> <p>Revenue Service.</p>	<p>For the purpose of providing a small business grant or for inclusion on the payroll co-funding scheme.</p>	<p>The processing is necessary for the conclusion or performance of a contract; and</p> <p>The processing is necessary for the exercise or performance by a public authority of a task carried out in the public interest.</p>

<b>Controller and processing activity</b>	<b>Personal data</b>	<b>Data sharing</b>	<b>Purpose of processing</b>	<b>Lawful basis for processing</b>
<p>Controller: P&amp;R.</p> <p>Processing activity: Loan Guarantee Scheme.</p>	<p>Applicant’s full name, whether a loan or overdraft, loan/ overdraft amount, amount of existing borrowing facilities, repayment term, details of any security taken against the new borrowing, confirmation that payments are up to date, details of any arrears or holiday period granted and any revised terms during the life of the loan. Personal data belonging to employees of applicants and their professional advisors or Lenders and their professional advisors.</p>	<p>P&amp;R and lending companies</p>	<p>A Loan Guarantee Scheme (‘the Scheme’) as part of a number of financial measures that are being put in place in order to provide financial assistance to local individuals and businesses that have been affected by the COVID-19 pandemic.</p>	<p>The processing is necessary for the exercise or performance by a public authority of a task carried out in the public interest.</p>
<p>Joint Controllers: Joint Emergency Services Control Center (JESCC), P&amp;R and MoH</p> <p>Processing Activity: Clinical Self-Isolation &amp; Accommodation Support Scheme.</p>	<p>Name, email address, mobile telephone number, date of birth and home address.</p>	<p>Between the joint controllers listed (JESCC, P&amp;R and MoH).</p>	<p>The Clinical Self-Isolation &amp; Accommodation Support Scheme is being offered as part of a number of measures to provide assistance to Bailiwick residents who have been affected by the COVID-19 pandemic. The Scheme is being run by the Integrated Community Cell on behalf of MoH, the primary point of contact for scheme participants will be the JESCC and payment responsibilities will be managed by the Policy &amp; Resources Committee. Further detail can be found on the dedicated FPN for this scheme <a href="#">here</a>.</p>	<p>The processing is necessary for the conclusion or performance of a contract; and</p> <p>The processing is necessary for reasons of public health.</p>

<b>Controller and processing activity</b>	<b>Personal data</b>	<b>Data sharing</b>	<b>Purpose of processing</b>	<b>Lawful basis for processing</b>
<p>Controller: P&amp;R</p> <p>Processing Activity: COVID-19 Response Appeal</p>	Name and bank details	N/A	<p>This personal data is collected and processed in accordance with the COVID-19 Response Appeal which was launched by the States of Guernsey in response to the COVID-19 pandemic.</p> <p>The personal data is collected and processed by P&amp;R when a donation is made to the appeal, either by bank transfer, card donation or cheque.</p> <p>The donor's personal data will also be processed for anti-money laundering purposes.</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 a Law Enforcement Purpose.</p>
<p>Joint Controllers: P&amp;R</p> <p>The Social Investment Fund ('the SIF')</p> <p>Processing Activity: COVID-19 Community Charity Appeal</p>	Name, contact details and bank details	P&R and the SIF	<p>This personal data is collected and processed in accordance with the COVID-19 Community Charity Appeal which was launched by the States of Guernsey and the SIF in response to the COVID-19 pandemic. The personal data is collected and processed by P&amp;R when a donation is made to the appeal, either by bank transfer, card donation or cheque.</p> <p>Personal data will be shared with the SIF for the purpose of checking 'promised' donations which are received and for thanking the donor for their donation. Personal data will also be shared with the SIF and subsequently processed for anti-money laundering purposes.</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 a Law Enforcement Purpose.</p>

<b>Controller and processing activity</b>	<b>Personal data</b>	<b>Data sharing</b>	<b>Purpose of processing</b>	<b>Lawful basis for processing</b>
<p>Controller: ESS.</p> <p>Processing activity: The Hardship fund administration. To provide financial assistance for applicants experiencing financial hardship as a result of COVID 19.</p>	<p>Full name, email address, landline and mobile telephone number, postcode, dob, employment status and financial status.</p>	<p>ESS departments currently</p>	<p>To provide financial assistance for applicants.</p>	<p>The data subject has requested or given consent to the processing 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 task carried out in the public interest.</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>Controller: ESS.</p> <p>Processing activity: The Urgent Temporary Accommodation scheme. To provide urgent temporary accommodation to lodgers and tenants with immediate housing issues as a result of COVID 19.</p>	<p>Full name, email address, landline and mobile telephone number, postcode, age, employment status, information regarding why accommodation is sort.</p>	<p>ESS departments currently.</p>	<p>To providing financial assistance for applicants.</p>	<p>The data subject has requested or given consent to the processing for the purpose for which it is processed.</p> <p>The processing is necessary for the exercise or performance by a task carried out in the public interest.</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>

<b>Controller and processing activity</b>	<b>Personal data</b>	<b>Data sharing</b>	<b>Purpose of processing</b>	<b>Lawful basis for processing</b>
<p>Controller: Population Management</p> <p>Processing activity: The Business Tunnels application process to arrange same day air travel as a result of COVID 19.</p> <p>Data will only be retained in line with Population Managements data processing policy.</p>	<p>Organisation, full name, email address, landline and mobile telephone number, postcode, Details of visiting persons, country and airport of origin, nature of visit to GY, arrival and departure dates, mode of travel and meeting arrangements and other information regarding why travel is essential.</p>	<p>Population Management and Law Enforcement</p>	<p>To administer and facilitate Business air travel in and out of GY</p>	<p>The data subject has requested or given consent to the processing for the purpose for which it is processed.</p> <p>The processing is necessary for the exercise or performance by a task carried out in the public interest.</p> <p>The processing is necessary for reasons of public health.</p>

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing
<p>Controller: Population Management</p> <p>Processing activity: Critical Travel applications for Critical Worker Exemptions and Compassionate Medical Exemptions</p>	<p>All: Full name, contact details and details as to the basis for the exemption application, basic health information to assess COVID infection risks.</p> <p>Critical Worker Applications: Job details including details of line manager and employer.</p> <p>Compassionate Medical Exemptions: More extensive health details outlining travel requirements.</p>	<p>Population Management and Law Enforcement (health data is not shared)</p> <p>Population Management and the Medical Director and the COVID Testing team in the event a test at day 8 is required.</p>	<p>To administer and facilitate critical air travel in and out of GY</p> <p>To administer and facilitate critical air travel for medical purposes.</p>	<p>The processing is necessary for the exercise or performance by a task carried out in the public interest.</p> <p>The processing is necessary for reasons of public health.</p>

