

# 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 (“Government”) in response to 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 Government 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 Government acknowledges its obligations as per the Data Protection Law, which provides a number of requirements in terms of processing activities involving personal data. The Government 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 Government 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 Government for the purpose of preventing, controlling and mitigating this emergency. The table lists all the circumstances that personal data is collected by the Government, 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 Government acknowledges its responsibility with regards to this data protection principle and therefore the Government 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 Appendix A, 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 Appendix A, 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 Appendix A, 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.

## **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.*

- f.** All personal data will be retained by each controller for as long as is deemed necessary, taking into consideration ongoing processing requirements in accordance with public health advice and 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 it is no longer deemed 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).

#### **g. 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 Government'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 Government 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.

#### **h. 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 contact details for the Government 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: Policy &amp; Resources Committee.</p> <p>Processing Activity:</p> <p>Processing of personal data through the Vaccination Administration System to facilitate the display of digital vaccination status via Travel Tracker for Bailiwick residents travelling abroad.</p>	<p>Account Creation:</p> <p>Personal Data: Full Name, email address and password.</p> <p>Further Information following account creation: Personal Data; Date of birth, address, contact and identification details.</p> <p>Special category data: Vaccination status, where the vaccine was administered, type of vaccine, batch number, country in which it was provided and the administering centre.</p>	<p>Name, date of birth, contact details address, may be shared with relevant officers of the States of Alderney and the Chief Pleas of Sark.</p> <p>Vaccination status may be shared with relevant officers in Public Health</p>	<p>To facilitate the issuance of vaccination status to members of the public who plan to travel abroad. To prevent, control and mitigate the risks to life and public health posed by the disease COVID-19.</p> <p>To maintain records on Covid-19 cases and assessing the ongoing risk in terms of transmission potential and service demand.</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 the management of medical, health or social care system and services.</p>
<p>Controller: MoH</p> <p>Processing activity:</p>	<p>Full name, full name of proxy (if used), date of birth, sex at birth, address, landline and mobile telephone number,</p>	<p>As above</p>	<p>collation of personal data collected directly from individuals confirmed to have Coronavirus for the purpose of</p>	<p>As above.</p>

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing
Collation of personal data collected directly from individuals confirmed to have Coronavirus for the purpose of case management and assessment of the Bailiwick-wide risk.	information on type of employment, vaccination status, travel history, symptoms, address.		case management and assessment of the Bailiwick-wide risk.	
Controller: MoH  Processing activity: Personal data collected from individuals who have been in contact with the confirmed case for the purpose of management and assessment of the Bailiwick-wide risk.	Full name, sex at birth, 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.	As above.	As above.	As above.
Controller: HSC	Health data.	As above, and	As above.	As above.

Controller and processing activity	Personal data	Data sharing	Purpose of processing	Lawful basis for processing
Processing activity: COVID-19 Testing.				
Controller: HSC; for the purpose of conveying a COVID-19 test result to a patient where the test has been requested by a HSC clinician	Health data and personal details, full name, date of birth, phone number test results.	As above	To inform individuals of their test results either via SMS or phone call.	The data subject has requested or given consent to receive the test result either by phone or SMS.
Controller: Policy & Resources Committee  Processing activity: the processing of personal data through the Vaccination Administration System and Track and Trace to facilitate the provision of vaccination certificates to individuals across the Bailiwick.	Name, address, date of birth, date that each vaccine was administered, type of vaccine, batch number, country in which it was provided and the administering centre.	Members of the public's personal data will be shared with a third-party supplier for the purpose of printing and posting vaccination certificates to all data subjects who have received both doses of their COVID-19 vaccination.	To facilitate the issuance of vaccination certificates to members of public who have received both doses of their COVID-19 vaccination.	The processing is necessary for reasons of public health.