

# Fair Processing Notice

The Committee *for* Education, Sport & Culture (ES&C) processes your personal data in line with its core mandate which is to encourage human development by maximizing opportunities for participation and excellence through education, learning, sport and culture at every stage of life. The Committee processes personal data to discharge those duties and responsibilities under the Education (Guernsey) Law, 1970. The Committee for Education Sport & Culture is the registered data controller for all activities which are summarized within this notice.

The Committee is responsible for advising the States of Deliberation as well as developing and implement policies on matters relating to its purpose, including:

- Pre-school, primary, secondary, further and higher education;
- Apprenticeships;
- Skills;
- Lifelong learning;
- Sport, leisure and recreation;
- Youth affairs;
- The arts;
- Libraries, museums, galleries and heritage;
- Island Archives; and
- Civic celebrations and commemorations, including Liberation celebrations.

The Committee must deliver or oversee the delivery of, and be accountable to the States of Deliberation for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee. In practice, the responsibilities listed above are delivered through the following service areas:

Education areas of delivery include:

- Central Education Services including the Education Development Centre, the Educational Psychology Service and the School Attendance Service;
- Other Education Services including the School's Transport Service, Careers Guernsey, Student Finance, the Early Years Service, the Music Service, the School's Library Service and SHARE (Sexual Health and Relationship Education); and
- States of Guernsey schools including pre-school, primary, secondary, further and higher education.

Sport and culture areas of delivery include:

- Beau Sejour Leisure Centre;
- Island Archives;

- Heritage Services including libraries, museums and galleries.

## 1. The Data Protection Law

The data controller (ES&C) acknowledges its 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 controller further acknowledges the general principles of processing as well as the rights of a data subject. Further information in relation to the principles of processing can be found within this fair processing notice and a full list of data subject rights can be found [here](#).

## 2. The Principles of Processing

### a. Lawfulness, fairness and transparency

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

The processing activities undertaken with the Committee cover a broad scope. It is the intention of the Committee to provide further detail to the individuals whose information we manage and additional Fair Processing Notices will be published specific to the service areas of the Committee.

We may collect the following personal data:

- Basic personal data relating to individuals such as name, address, date of birth, contact information;
- Images including photos and CCTV;
- Financial data; and
- Identification numbers such as passport details and social security numbers

In terms of special category data (the most sensitive of personal data under the Law) we may collection the following:

- race;
- ethnic origin;
- politics;
- religion;
- trade union membership;
- genetics;
- biometrics data;
- health information;
- sex life or sexual orientation

The personal data that is listed above is collected and processed in order to discharge the responsibilities of the Committee. The lawful basis for collecting and processing each individual category of personal data and special category data is dependent upon the specific processing activity in question, and this information is provided in further detail within the fair processing notices which are specific to each individual processing activity.

Where a data subject is asked to provide personal data (for example via a paper form, electronic form or email etc.) that individual will be provided with a website address or a link to the relevant fair processing notice which details all of the requisite information as required by the Law. All personal data (listed above) are collected and processed in a lawful manner in accordance with the Law. Schedule 2 (Conditions for Processing to Be Lawful) of the Law provides a number of conditions to ensure that the processing of personal data by a controller is lawful. The relevant condition varies according to the specific processing activity in each case, for a full list of conditions that the controller may rely upon please click [here](#).

### **Data Sharing**

In some circumstances, personal data held by the controller may be transferred to another controller within the States of Guernsey or another associated third party. **The controller will only share data when there is a lawful basis to do so.** We do not transfer data outside of the European Economic Area unless we are satisfied that personal data will be afforded an equivalent level of protection.

#### Agilisys Ltd

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. 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. We 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.

#### Scrutiny Management Committee & Internal Audit

Personal data may 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. 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.

### **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 Committee and relevant services acknowledge their responsibility with regards to this data protection principle and maintain that they will not further process personal data in a way which is incompatible with the original reason for processing as specified in section 2a, unless they are required to do so by law. The personal data will not be transferred to a recipient in an unauthorised jurisdiction (as per the definition within data protection law). In limited circumstances, data may be transferred to an authorised jurisdiction. Such transfers are infrequent, however a lawful basis for processing exists and appropriate safeguards are applied to the transfer of information.

### **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 Committee and relevant services maintain that they 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 they are 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 Committee and relevant services will ensure that all personal data that held is accurate and kept up-to-date, and any personal data that is inaccurate will be erased or corrected without delay in accordance with the provisions of the Law or Ordinance as applicable.

### **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.*

Personal data and special category personal data will be retained in accordance with the States of Guernsey Records Management Policy and the States of Guernsey retention and Disposal Schedule, together with any service area specific schedules and policies.

### **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.*

**Information Access** – 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.

**Information Security** – the Committee adopts the information security standards of the States of Guernsey.

### **g. Accountability**

The controller is responsible for, and must be able to demonstrate, compliance with the data protection principles.

The contact details of the controller are as follows:

The Committee *for* Education, Sport & Culture

Tel: 01481 227000

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

The contact details for the Data Protection Officer of the Committee *for* Education, Sport & Culture are as follows:

Data Protection Officer, the Committee *for* Education, Sport & Culture

Tel: 01481 220012

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