

# Fair Processing Notice

This Fair Processing Notice provides information regarding how the States Trading Supervisory Board (STSB) processes your personal data. The States' Trading Supervisory Board (STSB) oversees a group of trading companies owned by the States of Guernsey as well as a number of unincorporated Trading Assets and other services.

This Fair Processing Notice includes information regarding the unincorporated Trading Assets and other services that process your personal data for the safe and effective delivery of a range of services for commercial, semi-commercial and consumer purposes.

STSB services include: Guernsey Airport, Alderney Airport, Guernsey Harbours, Guernsey Water, States Works, Guernsey Lottery, States Property Services, Guernsey Dairy and Guernsey Waste.

STSB is the registered data controller and is responsible for providing a range of services so as to facilitate the requirements of transport and utility services for Guernsey and the Bailiwick. STSB processes your personal data in accordance with its statutory obligations including (but not limited to):

- ✓ Milk and Milk Products (Guernsey) Law, 1955;
- ✓ States Water Supply (Amendment) (Guernsey) Law, 1991;
- ✓ Wastewater Charges (Guernsey) Ordinance, 2014;
- ✓ Harbour Dues and Facilities Charges (Guernsey) Regulations, 2015;
- ✓ Pilotage (Amendment) Ordinance, 2015;
- ✓ Merchant Shipping (Registration of Ships) (Bailiwick of Guernsey) (Amendment) Regulations, 2014;
- ✓ Guernsey Airport (Traffic) Order, 1985;
- ✓ Alderney (Application of Legislation) Law, 1948;
- ✓ Alderney (Application of Legislation) (Airport) Ordinance, 1981;
- ✓ Environmental Pollution (Guernsey) Law, 2004;
- ✓ Parochial Collection of Waste (Guernsey) Law, 2015;
- ✓ Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) Ordinance, 1975; and
- ✓ The Wreck and Salvage (Vessels and Aircraft) (Bailiwick of Guernsey) Law, 1986.

# 1. The Data Protection Law

The Data Controller for the unincorporated Trading Assets and other services within the STSB acknowledges 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 Data Controller further acknowledges the general principles of processing, as well as the rights of a data subject. Further information in relation to these provisions are provided within this fair processing notice.

## 2. The Principles of Processing

### a. Lawfulness, fairness and transparency

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

STSB collects and processes the following personal data:

- Title
- First name
- Last name
- Home address
- Mobile contact number
- Landline number
- Fax number
- Contact email address
- Bank account details
- Date of Birth
- Nationality
- Signature
- Occupation
- Vessel name
- Vessel registration number
- GU number (Fishing vessel)
- Business address
- Death certificate

STSB may collect and process special category data (the most sensitive of personal data under the Law). Special category data is explained under the Law as any personal data revealing an individual's:

- ✓ Race;
- ✓ Ethnic origin;
- ✓ Political views;
- ✓ Religion;
- ✓ Trade union membership;
- ✓ Genetics;
- ✓ Biometrics data;
- ✓ Health information; and
- ✓ Sex life or sexual orientation.

The purpose for collecting the above listed data is to enable the delivery of all services offered by STSB's unincorporated Trading Assets and other services. The lawful basis for collecting each type of personal data will vary dependent upon the specific purpose.

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 controller acknowledges its responsibility with regards to this data protection principle and therefore the controller 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.

#### **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.*

The STSB will keep information on data subjects for as long as it is necessary to deliver that specific service and any aftercare that is necessary unless there is a legal obligation to retain the data beyond this period.

Other personal data held will be destroyed when the professional guidance advises it is acceptable to do so, or it is no longer required, such as registration documents.

#### **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.*

Personal data is held in hard copy and electronic format.

**Information Access** – access to electronic or paper records is tightly controlled. 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 STSB 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 Data Controller for the States Trading Supervisory Board are as follows:

Address: Brickfield House, St Andrew, Guernsey, GY6

8TY Tel: 01481 231200

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

The contact details for the Data Protection Officer for the States Trading Supervisory Board are as follows:

Data Protection Officer, the States Trading Supervisory Board

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

Tel: 01481 220012

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