

Fair Processing Notice –Public Health Services

The Committee for Health & Social Care (HSC) processes your personal data for the safe and effective delivery of health and social care.

HSC is the registered data controller for all activities which are summarised within this notice. We process personal data to discharge those duties and responsibilities as per our core mandate, and more specifically under the following legislation:

- i. The Children’s Law 2008
- ii. Education (Guernsey) Law 1970
- iii. The European Communities (Implementation of Council Regulation on Nutrition and Health Claims) (Guernsey) Ordinance, 2014
- iv. The Tattooing, Piercing, Acupuncture and Electrolysis (Guernsey and Alderney) Law 2000
- v. Health Professions, Regulation and Registration Medicines Law 2008
- vi. Mental Health Law 2010
- vii. Misuse of Drugs Law 1974
- viii. Misuse of Drugs Ordinance 1997
- ix. The Regulation of Health Professions (Medical Practitioners) (Guernsey and Alderney) Ordinance, 2015
- x. Registered Health Professionals Ordinance 2006
- xi. Loi relative a la Sante Publique, 1934; Ordre en Conseil IV 1934: Ordonnance relative a la Sante Publique, 1936; The Public Health (Amendment) Ordinance, 2014; Ordinance of the States XLII, 2014. The Public Health (Notifiable Diseases and Notifiable Agents) Order, 2014; Guernsey Statutory Instrument 2014, 86.
- xii. The Abortion Law 1997

This Fair Processing Notice details how specific areas of HSC use or ‘process’ your personal information, their legal reason for doing so, how they look after it and how long they hold this for. This notices covers all processing activities for Public Health Services

1. The Data Protection Law

The controllers within the HSC 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 controllers further acknowledge the general principles of processing as well as the rights of a data subject and more 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.

Public Health Services process personal data for multiple purposes which are linked to the responsibilities as listed at the top of this notice. Data we collect is listed below:

Basic Personal Data:

- Name, address, contact information (including e-mail address);
- Images including photos and CCTV
- Financial data
- Contacts information (people)(for tracing purposes)

Special Category Data:

- Health information
- Religion
- Sexual orientation and/or information relating to data subject's sex life
- Genetic information
- Biometric data
- Ethnic origin and race

The personal data that is listed above is collected and processed in order to discharge the responsibilities of Public Health Services. The lawful basis for collecting and processing each individual category of personal data is dependent upon the specific processing activity in question. The table (shown below) lists the operational functions of Public Health Services which collect personal data, the data that is required to fulfill each function and the lawful basis for the respective processing activities.

Operational Function	Personal Data Processed	Lawful Basis for Processing
Administration: Customer complaints, feedback, general correspondence (including email and phone messages)	Names, addresses, contact information, date of birth, limited health information.	Schedule 2, Part 1, 2: The processing is necessary for the performance of a contract to which the data subject is a party & Schedule 2, Part 2, 10a: the processing is necessary for a health or social care purpose &

		<p>Schedule 2, Part 2, 11: The processing is necessary for reasons of public health &</p> <p>Schedule 2, Part 3, 18: The data subject has given explicit consent to the processing of the personal data for the purpose for which it is processed.</p>
Abortion notifications	<p>Name, address, DOB, reason for Abortion, length of pregnancy and method used gestational age, Country of birth, are they educated in Guernsey, time in Guernsey, marital status, previous pregnancy history, method of termination and any complications arising</p>	<p>Schedule 2, Part 2, 8: 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>Compliance with 1997 Abortion (Guernsey) Law that all terminations shall be notified to the Medical Office of Health.</p>
<p>Analysis databases</p> <ul style="list-style-type: none"> • Summaries for cancer patients • Cancer patients pathology data • Registered cancer patients • Oncology activity data 	<p>Full medical records containing names, addresses, DOB, contact details, diagnosis, treatment health information.</p>	<p>Schedule 2, Part 2, 10(a): The processing is necessary for a health or social care purpose &</p> <p>Schedule 2, Part 2, 11: The processing is necessary for reasons of public health</p>
Guernsey Child Measurement Programme	<p>Name, school, class, age, height, weight and whether classed as underweight, normal weight, overweight or obese</p>	<p>Schedule 2, Part 2, 10a: The processing is necessary for a health or social care purpose.</p> <p>Compliance with States Resolution to implement the Healthy Weight Strategy 2016-2023 and to measure Outcome 3 on levels of</p>

		overweight and obesity in children.
Walking for Health Database	Names, gender, address contact details, , health information, physical activity levels	Schedule 2, Part 2, 10a: The processing is necessary for a health or social care purpose & Schedule 2, Part 2, 11: The processing is necessary for reasons of public health & Schedule 2, Part 3, 18: The data subject has given explicit consent to the processing of the personal data for the purpose for which it is processed.
Diabetic Retinopathy Database	Name, date of birth, social security number, type of diabetes, results of scan, GP details Optometrist	Schedule 2, Part 2, 10a: The processing is necessary for a health or social care purpose & Schedule 2, Part 2, 11: The processing is necessary for reasons of public health
Quitline Database	Name, gender, address, contact details short medical history and smoking history	Schedule 2, Part 2, 10a: The processing is necessary for a health or social care purpose & Schedule 2, Part 2, 11: The processing is necessary for reasons of public health
Orchard Centre/Lilie Database	Name, address, contact details, name of GP, past medical history, current complaint and symptoms, test results, treatment, referral method previous partners.	Schedule 2, Part 2, 10a: The processing is necessary for a health or social care purpose & Schedule 2, Part 2, 11: The processing is necessary for reasons of public health

Health Trainer Records	Name, gender, address, date of birth, medical questions and healthy lifestyle questions such as smoking and drinking habits.	Schedule 2, Part 2, 10a: The processing is necessary for a health or social care purpose & Schedule 2, Part 2, 11: The processing is necessary for reasons of public health
Screening programmes (Bowel, breast, cervical)	Cervical - GY Number, DOB, Bowel – Hospital ID, limited medical test results, postcode DOB, Biological sex, Breast - Hospital ID, limited medical test results, postcode DOB, Biological sex, Infectious diseases in pregnancy – hospital ID , DOB, due date, limited medical history	Schedule 2, Part 2, 10a: The processing is necessary for a health or social care purpose & Schedule 2, Part 2, 11: The processing is necessary for reasons of public health
JSNA focus groups	Name, address, email, phone number, medical information, opinions on health service.	Schedule 2, Part 2, 11: The processing is necessary for reasons of public health & Schedule 2, Part 3, 18: The data subject has given explicit consent to the processing of the personal data for the purpose for which it is processed.
MoD licence applications	Name and work address of applicant	Schedule 2, Part 2, 11: The processing is necessary for reasons of public health
Birth registrations	Name of child, DOB of child, gender of child, parents names , address	Schedule 2, Part 2, 10(a): The processing is necessary for a health or social care purpose & Schedule 2, Part 2, 11: The processing is necessary for reasons of public health

Immunisation records - children	Name of child, DOB of child, gender of child, GP surgery, school, vaccination history	Schedule 2, Part 2, 10(a): The processing is necessary for a health or social care purpose & Schedule 2, Part 2, 11: The processing is necessary for reasons of public health
Notifiable diseases and agents	Name, address, telephone number, GP surgery and contact number, treating doctor, DOB, gender, ethnicity, limited medical history, hospital ID, current residence, occupation/school, occupation address, occupation contact number, travel history, accommodation details, general activities and places visited etc., details of other people who might have been exposed to infection	Schedule 2, Part 2, 8: 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 & Schedule 2, Part 2, 10(a): The processing is necessary for a health or social care purpose & Schedule 2, Part 2, 11: The processing is necessary for reasons of public health
Influenza-like-illnesses surveillance	Name, DOB, vaccination history, Limited medical history	Schedule 2, Part 2, 10(a): The processing is necessary for a health or social care purpose & Schedule 2, Part 2, 11: The processing is necessary for reasons of public health
Chlamydia surveillance	Name, age, DOB, test result	Schedule 2, Part 2, 10(a): The processing is necessary for a health or social care purpose & Schedule 2, Part 2, 11: The processing is necessary for reasons of public health

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 copy of this 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](#).

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.

HSC acknowledges its responsibility with regards to this data protection principle and therefore 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 it is required to do so by law.

Data will be transferred outside of the Bailiwick to ensure the continuation of safe health or social care (normally only to GDPR compliant jurisdictions, to other jurisdictions this is only done with the explicit consent of the data subject).

Some of the systems we use to deliver our services involve the sharing of your data within the States of Guernsey. Contracts and strict agreements are in place to ensure that your information is kept safe and secure and that those departments are only using your data for the specific purpose of delivering the service we have requested. For more information on who we share your data with and how they use it, please contact us using the contact details provided in section (g).

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.

HSC acknowledges its responsibility with regards to this data protection principle and therefore 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 it 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.

To the best of its ability, HSC 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 HSC will keep health and social care records on data subjects for as long as they are needed to deliver health and social care.

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 HSC 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 Health & Social Care

Tel: 01481 725241

Email: healthandsocialcare@gov.gg

The contact details for the Data Protection Officer for Health and Social Care are as follows:

Data Protection Officer, the Committee for Health and Social Care

Tel: 01481 725241 ext. 4417

Email: data.protection@gov.gg