

# Fair Processing Notice

External Relations & Constitutional Affairs supports the work of the Policy & Resources Committee ('the controller') and is responsible for the external relations and international and constitutional affairs element of the Policy & Resources Committee's mandate, which includes:

- The island's constitutional position and relationship with the Crown
- Relations with the United Kingdom and other jurisdictions
- Relations with the European Union and other supranational organisations
- Relations with fellow Crown Dependencies of Jersey and the Isle of Man
- Relations with the other islands of the Bailiwick
- Representing, or overseeing the representation of, and negotiations for, the island
- Executing and requesting the extension of international agreements to the island
- Coordinating the island's Brexit Policy

The Policy & Resources Committee is the controller for all of the processing activities undertaken by External Relations & Constitutional Affairs.

## 1. The Data Protection Law

The controller acknowledges its obligations as per the data protection 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 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.*

External Relations and Constitutional Affairs will process personal data to the extent which is required to carry out the aforementioned mandated functions of the Policy & Resources Committee. We do not regularly collect personal or special category data, however it may be necessary to do so in certain circumstances. Examples include diplomatic visits to and from the island and supporting Guernsey residents in engaging with external organisations or governments. Any personal data that is collected will only be collected directly from the data subject, or persons acting on the data subject's behalf.

In order to fulfil the various functions of External Relations and Constitutional Affairs, we may be required to collect and process the following categories and types of personal data:

- Basic personal data including, but not limited to:
  - The data subject's name
  - The data subject's job title
  - The data subject's gender
  - The data subject's date of birth
  - The data subject's postal address
  - The data subject's telephone number
  - The data subject's email address
  - The data subject's nationality
  - The data subject's car registration number
  
- Special category data including, but not limited to:
  - Any specific requirements for the data subject
    - Dietary requirements
    - Accessibility requirements
  - Health data
  - Criminal data

The personal data collected and subsequently processed by External Relations and Constitutional Affairs is processed in accordance with sections 4, 13, 17 and 18 of the Data Protection (Bailiwick of Guernsey) Law, 2017 ('the Law'), which state:

*"The processing is necessary for the purposes of the legitimate interests of the controller or a third party.";*

*"The processing is necessary for the exercise of any function of the Crown, a Law Officer of the Crown, the States or a public committee.";*

*"The processing is authorised by regulations made by the Committee for this purpose and carried out in accordance with those regulations.";*

and,

*"The data subject has given explicit consent to the processing of the personal data for the purpose for which it is processed."*

External Relations may process the personal data of Guernsey residents who seek assistance in engaging with an organisation external to Guernsey (such as residents dealing with an issue while in a foreign country and requiring assistance in making contact with a British Embassy), or an individual external to the Bailiwick of Guernsey seeking to engage with the States of Guernsey (such as a refugee who may be seeking safety in the Bailiwick).

Processing is for the purpose of providing assistance to the data subject and may need to be shared with both internal and external stakeholders to enable assistance to be provided.

Generally, External Relations and Constitutional Affairs do not specifically request personal data for this purpose, however this data may be voluntarily provided either by the data subject or a person acting on their behalf. It could include both basic personal data and special category data.

The personal data of official visitors, organised by External Relations and Constitutional Affairs, will be processed if they are visiting the island. This ensures that we are aware of who is in the official party in order to organise events and to meet the party on arrival. The basic personal data of an official visitor will be shared with the relevant stakeholders to be met during the data subjects visit. Information relating to the relevant stakeholders will also be shared with the official visitor in order to prepare their visit to the Island.

Information regarding an individual's allergies or specific dietary requirements will be collected and processed so that we may ensure any food provided to official visitors and other individuals involved in events will not cause them any harm or be in contrast to their dietary preferences. This special category data is only processed with the explicit consent of the individual; the data subject is permitted to withdraw their consent at any stage of the processing. Following the provision of explicit consent, information concerning the data subject's food allergies and dietary preferences will be shared with any caterers or event organisers who may be required to know this information to undertake their duties during the visit.

When Guernsey hosts the British-Irish Council Summit External Relations and Constitutional Affairs is required to organise the event, which it may do with the assistance of a contracted third party supplier who may undertake data processing when instructed on its behalf. The processing of personal data for this purpose is deemed to be necessary for the legitimate interests of the controller, insofar that the processing allows the controller to organise and manage the event. The processing of any special category data is deemed necessary for the exercise of any function of the Crown, a Law Officer of the Crown, the States or a public committee.

In order to ensure the necessary security measures are taken by the organisation, we collect the registration numbers of the vehicles which are required to be present at the event. By collecting this information the provision of parking at the event can be managed more efficiently and the security officers present can request that any cars with registration numbers not on the list are removed from the site. This information will be shared with the security officers present at the event. The processing of personal data for this purpose is deemed to be necessary for the legitimate interests of the controller, insofar that the processing allows the controller to implement the necessary security measures for the British-Irish Council Summit.

When the British-Irish Council Summit is being hosted in Guernsey, External Relations and Constitutional Affairs is also required to submit vetting forms for staff involved in hosting the event, both internal to the States of Guernsey and external. It is possible that, by undertaking this processing, we may be given sight of an individual's criminal data.

In addition to the specific examples for the British-Irish Council Summit listed in the previous three paragraphs, it will also be necessary to collect and process data as stated for the general visits referred to at the start of this section.

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. In order for Agilisys to carry out the function they are contracted to provide, there will be instances where they may have sight of the personal data which is collected and processed by External Relations and Constitutional Affairs. The controller will only provide Agilisys with access to personal data where there is a legitimate and lawful purpose for this access to be given in line with Schedule 2 of the Law and our internal policies and directives.

#### **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 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.*

Personal and special category data is not commonly collected by External Relations and Constitutional Affairs, but on occasions when it is, it will not be kept longer than is necessary. For example any personal data not expected to be required for anticipated future visits will be removed or deleted upon conclusion of the visit or event in question, or as soon as is practicably possible thereafter. Basic personal data will be retained by External Relations and Constitutional Affairs so that an accurate record can be maintained for any visits and events which may take place.

#### **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 will only be held in an electronic format, most commonly via email. Electronic data is held on secure States of Guernsey servers with suitable electronic and managerial procedures in place to safeguard and secure the personal data processed by External Relations and Constitutional Affairs.

Information Access - access to electronic 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 controller 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 Policy & Resources Committee

Tel: 01481 227000

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

The contact details for the Data Protection Officer of the Policy and Resources Committee are as follows:

Data Protection Officer, the Policy & Resources Committee

Tel: 01481 220012

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

For information on your rights as a data subject under the Data Protection (Bailiwick of Guernsey) Law, 2017, please go to the following link: <https://gov.gg/dp>