

Fair Processing Notice

The Human Resources Function is a Corporate Function which sits under the Policy and Resources Committee. The HR function supports the organisation in delivering its corporate objectives by effectively managing its human resources.

The HR function is made up of the following teams:

- HR Services
- Corporate Learning and Development
- Recruitment
- HR Administration

In addition to processing the personal data of members of the public through the delivery of their services, the Human Resources Function also processes personal data relating to their employees in connection with their employment.

For the purposes of the processing detailed in this privacy notice, the data controller is the Policy and Resources Committee.

1. The Data Protection Law

The controllers acknowledge their obligations as per the Data Protection (Bailiwick of Guernsey) Law, 2017 ('the Law'), which provides several 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 can be found by visiting www.gov.gg/DP.

The controllers acknowledge that all processing of personal data must be lawful, fair, and undertaken with transparency. Appendix A (please see below) explains all the processing which is being undertaken within the HR function for the purposes set out above.

The controllers have implemented a strict protocol across their respective services within the HR function which ensures personal data is not retained, by any of the teams set out above, past the point in time when the purpose for which the personal data was collected and processed has been carried out. Where the relevant controller no longer considers there to be a lawful or legitimate basis to retain personal data, this information will be erased or destroyed in a safe and secure manner. If you wish to receive further information regarding how long your personal data will be retained, please contact the relevant controller or their Data Protection Officer using the contact details below.

The controllers may share your personal data with another team within the HR function or another department within the organisation if it is considered both necessary and lawful for a purpose connected to your employment within the States of Guernsey or if required by Law.

In addition to the employee's personal data, information relating to an employee's emergency contacts and next of kin will be provided to the Controller by the relevant employee.

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. Shared Services 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.

Your personal data may also 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. Furthermore, 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.

2. Contact Details

The contact details of the relevant controllers are as follows:

The Policy and Resources Committee

Sir Charles Frossard House, La Charotterie, St Peter Port, GY1 1FH

Tel: 01481 227000

Email address: policyandresources@gov.gg

The contact details for the Data Protection Officer for the relevant controllers are as follows:

Data Protection Officer, the Policy and Resources Committee

Tel: 01481 220012

Email: data.protection@gov.gg

Appendix A

HR Team or bespoke process	Personal data	Purpose for processing	Lawful basis for processing
HR Services	<p>Basic personal data</p> <ul style="list-style-type: none"> - Identity data <ul style="list-style-type: none"> o Full name, previous surname(s), marital status, title, date of birth and Population Management identification number. - Financial data <ul style="list-style-type: none"> o Salary information. - Contact data <ul style="list-style-type: none"> o Current and previous postal address, email address, former addresses and telephone numbers. <p>Special category data</p> <ul style="list-style-type: none"> - Health data - Criminal data 	<p>Identity data</p> <ul style="list-style-type: none"> - This personal data is provided by the data subject and is processed in connection with their employment within the States of Guernsey. <p>Financial data</p> <ul style="list-style-type: none"> - This personal data is contained within the data subject’s contract of employment and processed by HR delivery to monitor the financial elements of their employment and progression through the relevant pay scales associated with their role. <p>Contact data</p> <ul style="list-style-type: none"> - This personal data is collected directly from the data subject and is processed for the purpose of corresponding with the data subject on matters relating to their employment within the States of Guernsey. <p>Health data</p> <ul style="list-style-type: none"> - This special category data is provided by the data subject, or their line manager, and processed for the purpose of the assessment of the working capacity of the data subject 	<p>The processing is necessary for the conclusion or performance of a contract.</p> <p>The processing is necessary for a health or social care purpose and is undertaken by a person who in the circumstances owes a duty of confidentiality which is equivalent to that which would arise if the person were a health professional.</p> <p>The processing is necessary for the Controller to exercise any right of power, or perform or comply with any duty, conferred, or imposed on the Controller by an enactment.</p> <p>The processing is authorised by regulations made by the Committee for this purpose and carried out in accordance with those regulations.</p>

		<p>and for monitoring and processing information relating to absence from work due to sickness.</p> <p>Criminal data</p> <ul style="list-style-type: none"> - This special category data is provided by the data subject and processed in accordance with the pre-employment check regarding the completion of a DBS check which states the data subject's previous convictions. The process undertaken and information collected for this purpose will be relevant to the level of vetting required for the data subject's employment. 	
Disciplinary, Grievance and Capability Procedures	<p>Basic Personal data</p> <ul style="list-style-type: none"> - Identity data <ul style="list-style-type: none"> o Employee name, job role/title. o Information relating to the employment of the employee subject to the investigation. o Employee accounts and/or opinions of an employee's performance and/or conduct. <p>Special Category data</p> <ul style="list-style-type: none"> - Criminal data - Health data <p>Any other information revealed through the course of an investigation.</p>	<ul style="list-style-type: none"> - The management, review and actioning of any reported incidents or complaints against a member of staff to determine if a full investigation needs to take place. - Investigating, including the provision of witness statements. - Facilitating a Hearing. - The sharing of personal data with the relevant parties, where deemed necessary, to facilitate the above purpose(s) – including but not limited to: <ul style="list-style-type: none"> o Manager running / presenting case o Investigating officer o Employee going through process o Supporting HR representatives o The Hearing Chair or Panel o Union Representative or workplace colleague 	<p>The processing is necessary for the conclusion or performance of a contract.</p> <p>The processing is authorised by regulations made by the Committee for this purpose and carried out in accordance with those regulations.</p>

		<ul style="list-style-type: none"> ○ Witnesses for the purpose of obtaining a statement (limited to only that which is necessary for this purpose) 	
Learning & Development	<p>Basic personal data</p> <ul style="list-style-type: none"> - Identity data <ul style="list-style-type: none"> ○ Age and job role/title. - Financial data <ul style="list-style-type: none"> ○ Salary information. <p>Special category data</p> <ul style="list-style-type: none"> - Health data 	<p>Identity data</p> <ul style="list-style-type: none"> - This personal data is held on the data subject's personnel record and may be used, on occasion, when reviewing certain employment matters across the organisation. This personal data will be processed in a pseudonymised format insofar that it is not combined with any other identifying features to protect the data subject's identity to the best of the controller's ability. <p>Financial data</p> <ul style="list-style-type: none"> - This personal data is held on the data subject's personnel record and may be processed when carrying out a review of salaries across the organisation. This information will be processed in a manner where salaries are collated into groups of employees, rather than being attributed to specific individuals, to maintain the data subject's privacy to the best extent possible in these circumstances. <p>Health data</p> <ul style="list-style-type: none"> - Statistics on absence from work due to sickness may be processed in connection with a specific management purpose. This special category data will only be processed 	<p>The processing is necessary for the conclusion or performance of a contract.</p> <p>The processing is necessary for the purposes of the legitimate interests of the controller or a third party.</p> <p>The processing is necessary for a historical or scientific purpose.</p>

		for this purpose in a pseudonymised format whereby the information is collated for a group of employees and not attributed to specific individuals.	
Recruitment	<p>Basic personal data</p> <ul style="list-style-type: none"> - Identity data <ul style="list-style-type: none"> o Full name, maiden name, marital status, title, date of birth and Population Management identification number. - Financial data <ul style="list-style-type: none"> o Bank account data and salary information. - Contact data <ul style="list-style-type: none"> o Current and previous postal address, email address, former addresses and telephone numbers. <p>Special category data</p> <ul style="list-style-type: none"> - Health data - Criminal data <p>Please be advised that the Controller contracts a 3rd party provider to perform the required DBS background checks. To facilitate these checks, applicants are required to submit their data directly to the provider. The Controller can then access applicant data via the provider. The provider is UK based and subject to a legally binding contract with the States of</p>	<p>Identity data</p> <ul style="list-style-type: none"> - This personal data is provided by the data subject and processed as part of the job application and pre-employment checks process. <p>Financial data</p> <ul style="list-style-type: none"> - This personal data is provided by the data subject and processed to facilitate the payment of employment benefits and reimbursement of interview expenses. <p>Contact data</p> <ul style="list-style-type: none"> - This personal data is provided by the data subject, or their authorised representative, and processed to ensure that the necessary pre-employment checks can be undertaken in accordance with the contractual obligations of the role which the data subject is offered. <p>Health data</p> <ul style="list-style-type: none"> - This special category data is provided by the data subject and processed in accordance with the Disability Charter, which has been signed by the States of Guernsey. The Disability Charter requires the States of Guernsey to provide individuals who have a disability with the same opportunities for an 	<p>The processing is necessary for the conclusion or performance of a contract.</p> <p>The processing is necessary for the exercise of any function of the States.</p> <p>The processing is authorised by regulations made by the Committee for this purpose and carried out in accordance with those regulations.</p>

	<p>Guernsey to ensure all applicant data is processed in accordance with the Law.</p>	<p>interview as every other individual applying for the role.</p> <p>Criminal data</p> <ul style="list-style-type: none"> - This special category data is provided by the data subject and processed in accordance with the pre-employment check regarding the provision of a DBS check which states the data subject's previous convictions. The process undertaken and information collected for this purpose will be relevant to the level of vetting required for the data subject's employment. 	
<p>HR Administration</p>	<p>Basic personal data</p> <ul style="list-style-type: none"> - Identity data <ul style="list-style-type: none"> o Full name, maiden name, marital status, date of birth and title. - Contact data <ul style="list-style-type: none"> o Current and previous postal address, email address, former addresses and telephone numbers. <p>Special category data</p> <ul style="list-style-type: none"> - Health data - Criminal data 	<p>Identity data</p> <ul style="list-style-type: none"> - This personal data is provided by the data subject and processed for the purpose of pre-employment checks, for the entry of working time on behalf of the data subject and for the notification of certificated sickness, which is required under the terms of employment. <p>Contact data</p> <ul style="list-style-type: none"> - This personal data is provided by the data subject, or their authorised representative, and processed to ensure that the pre-employment checks can be completed. This personal data is also processed to ensure that annual leave entitlement is calculated correctly, sickness payments and other employment payments are processed. 	<p>The processing is necessary for the conclusion or performance of a contract.</p> <p>The processing is necessary for a health or social care purpose and is undertaken by a person who in the circumstances owes a duty of confidentiality which is equivalent to that which would arise if the person were a health professional.</p> <p>The processing is authorised by regulations made by the Committee for this purpose and carried out in accordance with those regulations.</p>

		<p>Health data</p> <ul style="list-style-type: none"> - This special category data is provided by the data subject, via their line manager, and processed for the purpose of sickness benefit recoveries. <p>Criminal data</p> <ul style="list-style-type: none"> - This special category data is provided by the data subject and processed in accordance with the pre-employment check regarding the provision of a DBS check which states the data subject's previous convictions. 	
Hybrid Working process	<p>Basic personal data</p> <ul style="list-style-type: none"> - Identity data <ul style="list-style-type: none"> o Full name, role, department, service area, contract end date (if applicable). - Contact data <ul style="list-style-type: none"> o Email address. o Home/hybrid workstation address and conditions. o Contact number. <p>Special category data</p> <ul style="list-style-type: none"> - Health data 	<p>Identity data</p> <ul style="list-style-type: none"> - This personal data is provided by the data subject or their line manager to adequately identify data subject in scope and establish their current hybrid working schedule and environment. <p>Contact data</p> <ul style="list-style-type: none"> - This personal data is provided by the data subject, or their line manager, to ensure accurate and up to date contact information when the subject is working from home and/or for delivery of appropriate equipment/furniture, if applicable. <p>Health data</p> <ul style="list-style-type: none"> - This special category data is provided by the data subject, or their line manager, to properly assess the safety and suitability of the data subject's home working conditions and to ensure compliance with mandatory health and safety obligations. Collects data 	<p>The processing is necessary for the conclusion or performance of a contract.</p> <p>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>The processing is necessary for a health or social care purpose and is undertaken by a person who in the circumstances owes a duty of confidentiality which is equivalent to that which would arise if the person were a health professional.</p>

		on reasonable adjustments required for an impairment, health condition and/or disability.	
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