

Fair Processing Notice

The Independent Monitoring Panel (the controller) may process your personal data to carry out our function as the monitoring Panel at the Guernsey Prison. The Panel has independent oversight of the day-to-day operations of the Guernsey Prison and its conditions; we monitor the administration of the prison, the treatment of prisoners and whether the statutory objectives of the prison system are being met, and serve to protect the well-being of prisoners.

The Independent Monitoring Panel is established under Part II of the Prison (Guernsey) Ordinance, 2013, as amended.

1. The Data Protection Law

The Independent Monitoring Panel acknowledge our obligations as per the Data Protection (Bailiwick of Guernsey) Law, 2017, which provides a number of requirements in terms of processing activities involving personal data. We also 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.

In order to fulfil our statutory function we may on occasion process your personal data and special category data at your request. We may access any records of the prison subject to the Governor's consent.

We collect the following personal data:

- Basic data about individuals such as name, date of birth and / or age.

We may also collect special category data which is information concerning an individual's:

- racial or ethnic origin;
- political opinion;
- religion or philosophical belief;
- trade union membership;
- health information;
- sexual orientation;

- criminal data.

The purpose of collecting this data is to enable us to carry out our function in responding to your requests and enquiries.

This information is processed lawfully since it is necessary for us as the data controller to comply with our duties under the Law.

Personal data is collected in most circumstances from you, the data subject. Where data is obtained indirectly, this will in most circumstances be from an Officer employed by the States of Guernsey or the Prison Governor.

In most circumstances you will be informed at the point of data collection who we may contact to verify the information you have provided, or to provide us with additional information, so that we can respond accordingly to your request.

Individual members of the Panel may share the personal and special category data collected with other members of the Panel, with Officers at the Guernsey Prison and with the data subject and any representative such as an advocate. 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).

Agilisys Guernsey Ltd. provide support to and carry out maintenance on the IT infrastructure of the organisation. For Agilisys to carry out the function which they are contracted to provide, there will be instances where they may have sight of your personal data. The controller 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 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.

We acknowledge our responsibility with regards to this data protection principle and will not further process 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.

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.

We maintain that we will only process the data which is detailed in section 2a, and will not process any further data that is not necessary in relation to the original reason for processing 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.

We maintain that all personal data that we hold is accurate and kept up-to-date (where applicable) 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.

We maintain records of requests and enquiries made. We seek to abide by a general retention period which is two years. We keep statistical data for the purpose of providing management information.

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.

We maintain to process all personal data and special category data with appropriate levels of security, adopting the information security standards for the States of Guernsey in order to prevent unauthorised or unlawful processing. We ensure that the information that we process is not accessible to anyone who does not have a need to see it.

g. Accountability

As controllers we are responsible for, and must be able to demonstrate, compliance with the data protection principles.

The Committee for Home Affairs

Tel: 01481 227353

Email: homeaffairs@gov.gg

The contact details for the Data Protection Officer for Home Affairs are as follows:

Data Protection Officer, the Committee for Home Affairs

Tel: 01481 220012

Email: data.protection@gov.gg

3. Data Subject Rights

The Data Protection Law provides you as an individual with certain rights. The most commonly used right is that of the 'right to access' under section 15. Individuals can ask whether any information is held about them by an organisation, and request copy of that information. Subject access requests can be placed on the gov.gg website at <https://gov.gg/dp> , or by contacting the controller or data protection officer at the details listed above.

The Law also provide you with other rights, not least the right to complain to the regulatory authority. More information about all your rights can be found at <https://gov.gg/dp> and through the Office of the Data Protection Authority at <https://www.odpa.gg/>.