

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

COMMITTEE FOR HOME AFFAIRS

RE-APPOINTMENTS AND APPOINTMENTS TO THE DATA PROTECTION AUTHORITY

The States are asked to decide:-

Whether, after consideration of the Policy Letter entitled 'Re-appointments and Appointments to the Data Protection Authority' dated 6th April 2022, they are of the opinion:-

1. To re-appoint from 26th May 2022 Mr Christopher Docksey as a voting member of the Data Protection Authority until 25th May 2026.
2. To re-appoint from 26th May 2022 Mr Mark Lempriere as a voting member of the Data Protection Authority until 25th May 2026.
3. To appoint from 26th May 2022 Ms Jane Wonnacott as a voting member of the Data Protection Authority until 25th May 2026.
4. To appoint from 26th May 2022 Ms Nicola Wood as a voting member of the Data Protection Authority until 25th May 2027.

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The Presiding Officer
States of Guernsey
Royal Court House
St Peter Port

6th April, 2022

Dear Sir

1 Executive Summary

- 1.1 The purpose of this Policy Letter is to re-appoint two voting members and appoint two new voting members of the Data Protection Authority (“the Authority”) as established under the Data Protection (Bailiwick of Guernsey) Law, 2017 (“the Law”).
- 1.2 There are currently 5 voting members of the Authority, including three whose terms of office expire on 25th May 2022. The Committee *for* Home Affairs (“the Committee”) is seeking the re-appointment of Mr Christopher Docksey and Mr Mark Lempriere and the appointment of Ms Jane Wonnacott as voting members for a period of four years from effect of 26th May 2022. The Committee is also seeking the appointment of Ms Nicola Wood as a voting member for a period of five years from 26th May 2022. The Committee considers that the addition of one extra voting member (six in total) is beneficial in order to ensure optimum diversity and balance across the membership as a whole.

2 Background

- 2.1 Part XI of the Law establishes the Authority, with Schedule 6 to the Law setting out the constitution of the Authority. Schedule 6 provides that the Chairman and other voting members must be appointed by resolution of the States of Deliberation from individuals nominated by the Committee.
- 2.2 Schedule 6 to the Law states that the Authority comprises a Chairman and no fewer than four and no more than eight other voting members, with the exact

number being determined by the Committee, and the Commissioner, as an *ex officio* and non-voting member.

- 2.3 In recommending the individuals to the States, pursuant to paragraph 1(3) of Schedule 6 to the Law, the Committee must have particular regard to the need to “ensure that voting members of the Authority –
- (a) have the qualifications, experience and skills necessary to exercise and perform the functions of a member, in particular relating to the protection of personal data,
 - (b) have a strong sense of integrity, and
 - (c) are able to maintain confidentiality.”
- 2.4 Each voting member is to be appointed for a term of not less than four, and not more than five, years as the Committee thinks fit in a particular case.
- 2.5 A recruitment campaign for the Authority members was designed to reach as many areas of the population as possible and included advertising locally through social media and the States of Guernsey website.
- 2.6 Following an open and transparent recruitment process the Committee was impressed with the quality and experience of all candidates.
- 2.7 The Committee, with the support of the Chairman of the Authority is pleased to recommend the following individuals for re-appointment and appointment to the Authority.

3. Re-appointment of Voting Members to the Authority– 4 year appointment

- 3.1 Mr Christopher Docksey was appointed as a voting member to the Authority in 2018. He has worked as senior lawyer within the European Commission and as Director for the European Data Protection Supervisor. He has unrivalled knowledge of General Data Protection Regulations (GDPR), of relevant EU institutions and of the Adequacy processes. Mr Docksey has good reputation and track-record as a well-informed and wise contributor.
- 3.2 While Mr Docksey is currently based in Brussels, this is not considered to be a barrier to his active participation as a member of the Authority and his practical experience is an asset to the Authority.
- 3.3 Mr Mark Lempriere was appointed as a voting member to the Authority in 2018. Mr Lempriere is a former Chief Secretary of the Committee *for* Home Affairs having retired from the States in April 2018 and is a voice of moderation and

practicality during the Authority meetings. Mr Lempriere provides an intimate and very necessary knowledge of States of Guernsey politicians, officials, procedures and sensitivities. During his time as a Chief Secretary, Mr Lempriere was an architect of most of the Guernsey Data Protection Law and the Authority.

- 3.4 Both Mr Docksey and Mr Lempriere have advised the Chairman of their intention to step down from their role in two to three years.

4. Appointment of Voting Member to the Authority – 4 year appointment

- 4.1 Ms Jane Wonnacott was the Director of Information and Communications Technology for the States of Guernsey between 2005 and 2019. Previously, she had an impressive career in pharmaceutical and IT companies. Currently she holds Non-Executive Director roles with a couple of Bailiwick charities and is engaged in Institute of Directors courses. Ms Wonnacott's interview with the Chairman of the Authority indicated an enthusiastic approach with a good understanding of how the Authority could maximise its effectiveness. The Chairman considered that she would strengthen the level of IT expertise and also bring substantial experience of how public and private organisations address data protection and other technological challenges in practice. The Chairman advised the Committee that he did not consider her past employment with the States of Guernsey would undermine independence or present any conflict problems, on the contrary he considered it would be an asset to the Authority.

5. Appointment of Voting Member to the Authority – 5 year appointment

- 5.1 Ms Nicola Wood has been a solicitor since 1995, and is currently a part-time Financial Ombudsman. Ms Wood has extensive experience as a Non-Executive Director across a range of public and charitable bodies. Ms Wood has been a member of the Board of the Information Commissioner's Office since 2015 and is currently its Senior Independent Director.
- 5.2 In 2021 she was asked by the UK Government to sit on the panel which recommended the new Commissioner. Ms Wood's application was an articulate demonstration of how she met the selection requirements, particularly showing a good understanding of the issues and sensitivities facing a privacy regulator.

6. Compliance with Rule 4 of the Rules of Procedure of the States of Deliberation and their Committees

- 6.1 Rule 4 of the Rules of Procedure of the States of Deliberation and their Committees sets out the information which must be included in, or appended to, motions laid before the States.

6.2 In accordance with Rule 4(1):

- a) The propositions contribute to the States' objectives in that the appointment and the re-appointment of Members to the Authority will ensure the Authority can appropriately discharge its statutory duties.
- b) In preparing the propositions, consultation has been undertaken with the Chairman of the Data Protection Authority.
- c) The propositions have been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications
- d) There are no financial implications to the States of carrying the proposal into effect. The additional cost of appointing an additional member to the Authority is minimal and affordable in the Authority's existing budget. The total of all Members' fees and expenses is set at 2.5% of the total operating cost in the Authority's 2022 Budget. There is no need for any increase.

6.3 In accordance with Rule 4(2):

- a) The propositions relate to the duties of the Committee to advise the States and to develop and implement policies on matters relating to its purpose including data protection.
- b) The propositions have the unanimous support of the Committee.

Yours faithfully

R G Prow
President

S P J Vermeulen
Vice-President

S E Aldwell
L McKenna
A W Taylor

P A Harwood
Non-States Member