

# Fair Processing Notice

Where travel is paid for by the States of Guernsey, reservations will be made by authorised Travel Bookers registered with the Travel Management Company (TMC) instructed by the States of Guernsey.

The Travel Booker acts on behalf of the Policy and Resources Committee ('the controller').

## 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.*

There are various 'Travel Bookers' across the organisation, responsible for the arranging and purchasing of travel for States of Guernsey employees and, in certain circumstances, members of the public. If a Travel Booker makes such arrangement on your behalf there will be a requirement for processing of your personal data. This section of the fair processing notice directly relates to the information which will be processed for this purpose, as well as how this information will be processed in accordance with your travel requirements.

The travel Booker will require the following information in order to process your travel and accommodation request:

- Basic personal data
  - Your title, name, date of birth, gender, mobile phone number, passport number, email address, business address and nationality.
  - Your contact details relating to you in your professional capacity, such as your business email address and phone number.

- Special category data
  - This information will only be processed where, due to an injury or medical condition, you require special assistance at the airport, when travelling or at your accommodation. The service provider may request details of mobility in order to ensure that the appropriate assistance is provided. No other details of your injury or medical condition will be conveyed to any travel providers.

The controller must ensure that personal data is processed in accordance with the various aspects of the Data Protection (Bailiwick of Guernsey) Law, 2017 ('the Law'). Furthermore, the processing of personal data necessary for the purpose of organising travel and accommodation is carried out in accordance with Section 2(a) and 5 of Schedule 2 of the Law, which states:

*"The processing is necessary for the conclusion or performance of a contract to which the data subject is a party"*

And

*"The processing is necessary for the exercise or performance by a public authority of*

*(a) a function that is of a public nature, or*

*(b) a task carried out in the public interest."*

Where applicable, your personal data will only be processed for the purpose of booking and organising travel and accommodation as it is necessary to fulfil the requirements of the role to which you are employed. As such, the processing of personal data for this purpose is deemed to be necessary for the performance of your contract of employment.

Additionally, special category data; namely, health data, will only be processed in accordance with Sections 10(a) and 19 of Schedule 2 of the Law; which states

*"The processing is necessary for a health and social care purpose"*

And

*"The processing is necessary to protect the vital interests of the data subject or any other individual"*

This information will always be collected directly from you as the individual requesting that travel or accommodation is organised on your behalf. There may be circumstances where your personal data will be obtained from a third party in order for this process to be completed; namely, in a medical emergency for the purposes of vital interest.

In order for the Travel Booker to organise your travel and accommodation, they will be required to share your personal data with the designated Travel Management Company (TMC) who liaises with various third parties; including, but not limited to, flight providers, taxi companies, rental car companies, hotels and railway companies. For the purposes of this privacy notice the TMC is TravelPerk, which is based in the EU (Ireland).

The TMC will process your personal data via their travel booking system. The TMC will process your personal data to the extent which is required to provide support and maintenance to the travel booking system and also to assist the controller in ensuring your travel and accommodation can be arranged. Further information on how the TMC will process your personal data can be found at [www.travelperk.com/data-protection](http://www.travelperk.com/data-protection).

#### **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 TMC may share your personal data with a recipient in an authorised or an unauthorised jurisdiction (as per the definition within data protection law) in connection with the original purpose for processing this personal data and in order to arrange your travel (be this via plane, taxi, boat etc.) and your accommodation in the jurisdiction to which you are travelling.

Although the initial transfer of personal data to the TMC will be to an authorised jurisdiction, it is possible that the TMC may transfer your personal data to a service provider, which is established within an unauthorised jurisdiction. If personal data is to be transferred to an unauthorised jurisdiction, the transfer and subsequent processing will be carried out in accordance with the latest Standard Contractual Clauses for the transfer of personal data outside of Europe.

#### **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 that 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.*

The personal data which is processed for the purpose of organising your travel and accommodation will be retained by the controller for the duration of time for which you require these services.

At the point in time when the processing of your personal data is no longer required for this purpose, the Controller will ensure your personal data is deleted in a safe and secure manner.

#### **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 is held in both electronic and in hard copy formats. Electronic data is held on a secure platform supported and maintained by the TMC and hard copy data is stored in offices of the States of Guernsey.

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 Policy and Resources Committee adopt 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.*

### **3. Contact Details**

The contact details of the controller are as follows:

The Policy and 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 and Corporate Functions are as follows:

Data Protection Officer, the Policy and 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>