

Fair Processing Notice *for* The States Analytical Laboratory

The States Analytical Laboratory (SAL) processes your personal data for the safe and effective delivery of its analytical services. It also holds or shares personal data to discharge those duties and responsibilities under legislation which include: -

- Loi relative a la Sante Publique, 1934; Ordre en Conseil IV 1934: Ordonnance relative a la Sante Publique, 1936; The Public Health (Amendment) Ordinance, 2014; Ordinance of the States XLII, 2014. The Public Health (Notifiable Diseases and Notifiable Agents) Order, 2014; Guernsey Statutory Instrument 2014, 86.
- Consolidated text¹ of Preserved Commission Implementing Regulation (EU) 2016/2031 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants, and repealing Commission Regulation (EC) No 690/2008 and amending Commission Implementing Regulation (EU) 2018/2019

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.

SAL collects and processes the following personal data:

- Title
- First name
- Last name
- Home address
- Mobile contact number
- Landline number
- Fax number
- Contact email

SAL may also collect and process special category data (the most sensitive of personal data under the Law). Special category data is explained under the Law as any personal data revealing an individual's:

- Race
- Ethnic origin
- Political views
- Religion
- Trade union membership
- Genetics
- Biometrics data
- Health information
- Sex life or sexual orientation.

The personal data that is listed above is collected and processed in order to discharge the services and responsibilities of SAL. The lawful basis for collecting and processing each individual category of personal data is dependent upon the specific processing activity in question and summarised in the table below.

Operational Function	Personal Data Processed	Lawful Basis for Processing
Administration: Logging in of samples and enquiries, billing, and reporting of results or answering enquiries.	Name, address & contact information.	The processing is necessary for the performance of a contract to which the data subject is a party.
Notifiable diseases and agents (human, animal, or plant health)	Name, address, telephone number, contact number.	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 & The processing is necessary for reasons of public interest.
Alcohol technical defence	Name, age, race, health information, medication use, alcohol consumption, criminal charges.	The processing is necessary for the performance of a contract to which the data subject is a party.

Personal data is collected from the data subject or their representative via a paper form, electronic form or email etc.

Personal data is shared with: -

- HSC Income management Services - for the purposes of billing customers for services received from SAL.
- Other States of Guernsey bodies -where a legal obligation exists to disclose the data.

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 authorised or an unauthorised jurisdiction (as per the definition within data protection law).

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.

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.

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 SAL retains personal data for seven years in line with States of Guernsey policy and to ensure that it is auditable and traceable as part of its laboratory accreditation requirements under ISO:17025. Data relating to equipment is retained for 7 years after the equipment ceases to be used.

b. 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 hard copy and electronic format.

Information Access – access to electronic or paper records is tightly controlled. 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 SAL adopts the information security standards of the States of Guernsey.

c. 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:

Laboratory Manager, The States Analytical Laboratory

Burnt Lane, St martins, Guernsey, GY4 6LD

Tel: 227612

Email: statesanalytical@gov.gg

The contact details for the Government Data Protection Team are as follows:

The Data Protection Team

Sir Charles Frossard House, La Charroterie, St. Peter Port, Guernsey, GY1 1FH.

Email: data.protection@gov.gg