



BAILIWICK OF GUERNSEY
LAW ENFORCEMENT



Autism Passport – Fair Processing Notice

Guernsey Police, in conjunction with Guernsey Autism, gathers data for the purposes of the Autism Passport Scheme.

The personal information you provide will be put into the system used by Guernsey Police to provide information to Law Enforcement Officers in any future contact they may have with you for the purposes of safeguarding you and improving the effectiveness with which you are managed by allowing us to take account of your specific needs.

The data controller for the Autism Passport Initiative is Guernsey Police.

1. The Data Protection Law

Guernsey Police 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

All personal information is held and processed in accordance with the Data Protection Bailiwick of Guernsey Law, 2017 and associated Regulations. Anyone working within the Bailiwick of Guernsey Law Enforcement may only use information in accordance with their law enforcement duties.

The purpose for collecting the data is to allow you access to the Autism Passport scheme to allow us to provide a more tailored service that safeguards you and takes account of your specific needs. The information you supply will allow us to accurately identify that you require additional support and be able to put this in place when dealing with you, whether that be as a witness, victim, suspect or offender.



To be included on the scheme we ask that you provide the following personal details:

- Your name, gender, date of birth, phone number, address and email address
- The name and contact details of a support person who we can contact if you have interactions in the future with law enforcement officers
- Any further information that you think might be helpful to us when in contact with you and information as to the sorts of things that may make you anxious or stressed.

Information is collected on the Autism Passport Application Form, and in order to admit you on to this scheme we need your explicit consent. Access to this scheme is purely voluntary and you will not experience any detriment if you opt not to sign up. The scheme is purely designed to allow us to have advance notice of your specific needs in the event that you come into contact with a law enforcement officer. The personal data of your support person is processed on the basis of their consent.

The information you supply will only be processed for this scheme and will not be shared beyond other areas of Bailiwick of Guernsey Law Enforcement. Please be aware that we will contact the individual who you have identified as a support person as we will need to obtain their consent for the inclusion of their personal data. It is therefore encouraged that you talk to them before supplying their details.

As with any process that involves your consent, you should be aware that you have a right to remove your consent and therefore your entry on the scheme by contacting us at contact@jescc.gov.gg or by phoning on 01481 725111

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 personal data will not be transferred to a recipient in an authorised or an unauthorised jurisdiction (as per the definition within data protection 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.



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.

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.

Checks with you will be conducted at certain periods to ensure that the information is up to date.

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 data controller will ensure that all personal data that Bailiwick of Guernsey Law Enforcement holds is only held as long as necessary and maintains a policy that includes the rationale for the length of time for which data is held.

You have the right to withdraw consent at any point at which time the data will be deleted from where it is being stored.

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.

The intention is to obtain the data in paper format so that required signatures can be provided. Where possible this can be scanned and emailed to Guernsey Police for greater security. The data will be put into the Guernsey Police records for future reference. The data in hardcopy or electronic format will be protected using current practices.

g. Accountability

Guernsey Police is responsible for, and can demonstrate compliance with the data protection principles.



3. Contact Details

The contact details of the controller are as follows:

The Chief Officer of Police

Tel: 01481 725111

Email: hq@guernsey.pnn.police.uk

Data Protection Officer, the Committee for Home Affairs

Tel: 01481 717000

Email: data.protection@gov.gg

4. Data Subject Rights

a. Right of access

A data subject has the right to be advised as to whether a controller is processing personal data relating to them and, if so, that individual is entitled to one free copy of their personal data (with further copies available at a fee prescribed by the controller). This is known as a Subject Access Request (SAR). Upon receipt of an SAR, the controller has a period of one month to adhere to the request (an extension of two further months can be sought by the controller depending upon the complexity and number of requests submitted by the data subject).

b. Right to data portability

A data subject has the right to data portability, this means that an individual is able to arrange for the transfer of their personal data from one controller to another without hindrance from the first controller. This right can only be utilized where the processing is based on consent or for the performance of a contract. This right cannot be used for processing by a public authority.

Where a data subject invokes the right to data portability, the data subject has the right to be given their personal data in a structured, commonly used and machine-readable format suitable for transmission from one controller to another. Upon the request of a data subject, the controller must transmit their personal data directly to another controller unless it is technically unfeasible to do so.



c. Exception to right of portability or access involving disclosure of another individual's personal data

A controller is not obliged to comply with a data subject's request under the right of access or right to data portability where the controller cannot comply with the request without disclosing information relation to another individual who is identified or identifiable from that information.

d. Right to object to processing

A data subject has the right to object to a controller's activities relating to the processing of personal data for direct marketing purposes, on grounds of public interest and for historical or scientific purposes.

e. Right to rectification

A data subject has the right to require a controller to complete any incomplete personal data and to rectify or change any inaccurate personal data.

f. Right to erasure

A data subject has the right to submit a written request to a controller regarding the erasure of the data subject's personal data in certain circumstances. These include where:

- The personal data is no longer required in relation to its original purpose for collection by the controller;
- The lawfulness of processing is based on consent and the data subject has withdrawn their consent;
- The data subject objects to the processing and the controller is required to cease the processing activity;
- The personal data has been unlawfully processed;
- The personal data must be erased in order to comply with any duty imposed by law;
or
- The personal data was collected in the context of an offer from an information society service directly to a child under 13 years of age.

g. Right to restriction of processing

A data subject has the right to request, in writing, the restriction of processing activities which relate to the data subject's personal data. This right can be exercised where:

- The accuracy or completeness of the personal data is disputed by the data subject who wishes to obtain restriction of processing for a period in order for the controller to verify the accuracy or completeness;



- The processing is unlawful but the data subject wishes to obtain restriction of processing as opposed to erasure;
- The controller no longer requires the personal data, however the data subject requires the personal data in connection with any legal proceedings; or
- The data subject has objected to processing but the controller has not ceased processing operations pending determination as to whether public interest outweighs the significant interests of the data subject.

h. Right to be notified of rectification, erasure and restrictions

Where any rectification, erasure or restriction of personal data has been carried out, the data subject has a right to ensure that the controller notifies any other person to which the personal data has been disclosed about the rectification, erasure or restriction of processing. The controller must also notify the data subject of the identity and contact details of the other person if the data subject requests this information.

i. Right not to be subject to decisions based on automated processing

A data subject has the right not to be subjected to automated decision making without human intervention.

To exercise these data subject rights, please contact either the data protection officer or the controller (as per the contact details provided in 3).

j. Right to make a complaint

An individual may make a complaint in writing to the supervisory authority (the Office of the Data Protection Commissioner) if the individual considers that a controller or processor has breached, or is likely to breach, an operative provision of the data protection law, and the breach involves affects or is likely to affect any personal data relating to the individual or any data subject right of the individual (as listed above).

k. Complainant may appeal failure to investigate or progress and may appeal determinations

An individual may appeal to the Court where:

- The Supervisory Authority has failed to give the complainant written notice that the complaint is being investigated or not within two months of receiving the complaint;
- The Supervisory Authority has failed to provide written notice of the progress and, where applicable, the outcome of the investigation at least once within three months of providing notice of the beginning of an investigation; or
- Where the individual seeks to appeal against a determination of the Supervisory Authority.