

# Fair Processing Notice

## Joint Emergency Services Control Centre

The responsibility for the day to day management of the Joint Emergency Services Control Centre rests with JESCC Manager on behalf of the committee for Home Affairs who has overall responsibility for JESCC.

The Joint Emergency Services Control Centre (here after called JESCC) has a call-handling and control function for the four emergency services - Police, Fire and Rescue, Ambulance and Coastguard – are co-located under one roof where incidents are coordinated in a way that allows for the joint understanding of any risks and shared situational awareness.

- Co-Location, leads to good information sharing, good communication and joint understanding of the unfolding incident
- Co-ordination, sharing of information and co-ordination of efforts to increase the potential for understanding about the response and resources required
- Jointly understanding of risk by sharing information about the likely and potential impact of the incident
- Shared situational awareness, using established protocols where all services can understand what is happening.

This notice has been produced to help with the understanding of what personal data is used within the Operations Division. Please see the Guernsey Police overarching privacy notice which provides further information (please search for the words 'privacy notice') at <https://guernsey.police.uk>

## Data Controller

The Committee for Home Affairs is the '**Data Controller**' for the purposes of the legislation and is required to ensure JESCC handles all personal information in accordance with the legislation. JESCC is registered with the Office of the Data Protection Authority.

In accordance with the requirements of the legislation a Data Protection Officer has been employed by JESCC. The Data Protection Officer is an independent role who is responsible for ensuring that the personal information held is processed in accordance with the prescribed obligations of the legislation.

The Data Protection Officer is available to provide you with advice and assistance if you have any queries or concerns about how JESCC process your personal data. The contact details of the Data Protection Officer can be found near the end of this Notice.

## 1. The Data Protection Law

The controller acknowledge its obligations as per the Data Protection (Bailiwick of Guernsey) Law, 2017 (the Law) and the Data Protection (Law Enforcement and Related Matters) (Bailiwick of Guernsey) Ordinance, 2018, (the Ordinance) which together provide a number of requirements in terms of processing activities involving personal data. The controller 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.*

*JESCC log details electronically when we receive a call for help in an emergency. The information is processed by JESCC staff to determine the most appropriate service and response for the situation.*

*Information is processed to promote or support the provision of healthcare, police, fire and rescue services.*

### **Type of Personal Data collected**

- The categories of personal data collected in relation to a call to JESCC include:
- Audio recording of 999 calls
- Audio recording of general phone calls
- Caller information (including name, address, gender, date of birth, telephone numbers, online identifiers e.g IP address)
- Medical information including physical or mental health
- Emergency contacts
- Locations at sea (Coastguard operations)
- Details of injuries sustained

We respond to emergency calls from members of the public and we need to collect and process personal information about those individuals and others involved in the emergency in order to carry out our services.

Information about you may be collected on paper, online, by telephone, email, by a member of our staff, or one of our partners, or images captured on CCTV.

We may also hold “**special category data**” about racial or ethnic origin; political opinions; religious or other beliefs of a similar nature; trade union membership; physical or mental health or condition; sexual life; sexual orientation; offences and alleged offences; criminal proceedings, outcomes and sentences; cautions; genetic and biometric data.

We need to collect and hold information about you, in order to:

- deliver public services, (Police, Fire, Ambulance and Coastguard)
- confirm your identity to provide some services
- contact you by post, email or telephone
- understand your needs to provide the services that you request
- obtain your opinion about our services
- update your customer record
- help us to build up a picture of how we are performing at delivering services to you and what services the people in our Service area need
- allow us to undertake statutory functions efficiently and effectively
- make sure we meet our statutory obligations
- deal with requests for information and other general enquiries
- deal with complaints and compliments

We will only use the minimum amount of personal information necessary to carry out a particular activity.

### **Lawful Basis**

Data that is processed for **purposes** that are not a law enforcement purpose are processed in a lawful manner in accordance with the Law and in particular, Schedule 2 Parts I and II.

The processing condition will vary according to the specific purpose in each case, but in broad terms, one or more of the following conditions apply (this list is not exhaustive and will depend upon circumstances):

- 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 to protect someone’s life, health and safety.

- the processing is necessary to perform a function that is of a public nature or a task carried out in the public interest.
- the processing is necessary in order to comply with an order or judgment of a court or tribunal.
- the processing is necessary in accordance with legal proceedings
- the processing is necessary for the administration of justice or for the function of a States or public committee

### **Where do we collect your information from?**

When JESCC process your personal data it could be because you are involved in an incident that has been reported to the police, fire, ambulance, coastguard – perhaps as a witness; victim; involved in an accident; suffered an injury; incident at sea or as a result of vehicle collision or fire.

Information is likely to be collected from various forms, including electronically in emails and in our electronic filing system and databases as well as in paper-based records. It may also be held in other electronic forms such as CCTV.

### **Sharing information**

The JESCC may disclose personal information in the exercising of any right or power, or to perform or comply with any duty, conferred or imposed by law, or by any enactment or an order or a judgment of a court or tribunal having the force of law in the Bailiwick.

### **Helping us to train our staff and monitor their work**

Sometimes, our staff and other third parties listen to calls for training and learning purposes. All requests for third parties will be approved by the Controller who will consider the application on a case by case basis.

**Coastguard**, are located within JESCC and personal information is gathered by the JESCC coastguard team during an emergency response and will be processed by the Guernsey Coastguard in order to facilitate and coordinate rescues, preserve the safety of life and to enable the Guernsey Coastguard to carry out their public task. This information may be shared with the UK and French Coastguard and with the Marine Accident Investigation Branch (MAIB), who are part of the Department for Transport, for them to carry out their legal duties under the provisions of the Merchant Shipping (Accident Reporting and Investigation) Regulations 2012. To see how the MAIB handle your personal data please see their website.

In certain rescue circumstances it may be necessary for Coastguard to share your data with global search and rescue authorities and those delegated competent authorities such as the police and other emergency services and the Royal National Lifeboat Institution (RNLI), Channel Islands Air Search.

We will not disclose your information to third parties without your permission unless it is required for your direct care or there are exceptional circumstances, such as when it is justified in the public interest; for example:

- For the prevention, investigation, detection or prosecution of criminal offence within or outside the Bailiwick
- if there are risks to the public or emergency services staff
- to protect vulnerable children or adults who are not able to decide for themselves whether their information should be shared
- We have a legal duty, for example reporting some infectious diseases, wounding by firearms and court orders
- We need to use the information for research purposes or where the law requires information to be passed on; for example-
- Where a formal court order has been issued

We will seek your consent before we release information that identifies you to any third party for any other reason than direct patient care in an emergency

Your information is never collected for direct marketing purposes and is not sold on to any other third parties. Your information is not processed overseas.

We will only share information where it is necessary and proportionate to the situation or emergency and with adequate safeguards in place to protect the personal information.

The States of Guernsey have a professional relationship with a third party supplier, Agilisys Guernsey Ltd., who 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.

Your personal data may also be shared with the Scrutiny Management Committee ('SMC') and also the Internal Audit function of the States of Guernsey as may be required for the completion of their relevant functions. Furthermore, any personal data shared with SMC and Internal Audit will be limited and processed in accordance with Sections 5 and 13(b) of the Law.

#### **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).

For more information, please refer to the overarching privacy notices for each of the emergency services.

### **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.

### **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.*

We will retain your information for a reasonable period or as long as the law requires in accordance with our Service Retention Schedule. The individual privacy notices will provide more information regarding the retention of different types of data.

For more information on each service area retention and disposal, please refer to the overarching privacy notices for each of the emergency services.

### **d. 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.*

Our aim is not to be intrusive, and we won't ask irrelevant or unnecessary questions. The information you provide will be subject to rigorous physical, electronic and administrative security measures to make sure it can't be seen, accessed or disclosed to anyone who shouldn't see it and to protect against unlawful processing, accidental loss, destruction and damage both on line and off line.

For more information, please refer to the overarching privacy notices for each of the emergency services.

#### **e. Accountability**

*The controller is responsible for, and must be able to demonstrate, compliance with the data protection principles.*

**The contact details of the controller are as follows:**

The JESCC Manager

Police Headquarters, Hospital Lane, St Peter Port, Guernsey, GY1 2QN

Email: [hq@guernsey.pnn.police.uk](mailto:hq@guernsey.pnn.police.uk)

**The contact details for the Data Protection Officer for Guernsey Police are as follows:**

Data Protection Officer for Guernsey Police

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

Tel: +44 (0)1481 220012

Email: [data.protection@gov.gg](mailto:data.protection@gov.gg)

## **3. Data Subject Rights**

Please see the Guernsey Police overarching privacy notice which provides further information (please search for the words 'privacy notice') [at https://www.gov.gg](https://www.gov.gg)

## **Changes to this Privacy Notice**

We keep our Privacy Notice under regular review. This Privacy Notice was last updated on 21<sup>st</sup> June 2021.

If we plan to use your personal information for a new purpose we will update our Privacy Notice and communicate the changes before we start any new processing.