



BAILIWICK OF GUERNSEY LAW ENFORCEMENT

*Working together to make the Bailiwick safe and secure
Nous travaill ensemble pour protéger et sauvegarder le Baillage*

Supplementary Fair Processing Notice: Professional Standards & Counter Corruption Unit (PS&CCU) – how your information will be used

If you have made a complaint or raised a quality-of-service issue about a member of Police or Police staff, your personal information will be processed by the Professional Standards & Counter Corruption Unit (PS&CCU) during their investigation of your complaint. PS&CCU falls within the responsibilities of Guernsey Police. The Chief Officer of Guernsey Police is the '**Data Controller**' for the processing activities undertaken by PS&CCU for their relevant purposes of the legislation and is required to ensure that PS&CCU handles all personal information in accordance with the applicable data protection legislation. Guernsey Police is registered as a Data Controller with the Office of the Data Protection Authority.

This notice contains important information about what personal details we collect; what we do with that information; who we may share it with and why. It is intended to address specifically the handling of your information in relation to your PS&CCU complaint or matter. More detailed information about how the Guernsey Police manages your information, and your choices and rights when it comes to the personal information we are processing, is included on our general Fair Processing Notice which can be found on our website at [Data Protection - Guernsey Police](#) or is available upon request.

What we do

The principle of law enforcement relies on the trust and confidence that the public has in the Guernsey Police and the wider law enforcement community. The PS&CCU plays an important role in the maintenance of that trust and confidence.

The PS&CCU has a responsibility to protect and enhance the integrity of Guernsey Police and will be effective through prevention and maintaining the threat of detection and prosecution. The work of the Department will be underpinned by the Standards of Professional Behaviour.

The Data Protection Law

The Data Controller acknowledges 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 'LEO'), which provide a number of requirements in terms of processing activities involving personal data. The Data 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.

The information about you that we collect and process

Depending on the nature of the investigation undertaken and in accordance with the relevant procedure, both personal and special category data may be collected in connection with the matter

you have brought to our attention. The personal data which will always be collected as part of the investigatory process will be your name, date of birth and title, and your contact details.

We will also keep a record of the matter you have raised which may contain other information about you, including more private, special category data. The special category data we may process about you might include, but is not limited to, your health data, your race or ethnic origin and/or your religious beliefs (where, for example, we are investigating allegations of discrimination) and any relevant criminal data.

Our Lawful Basis for Processing

Our lawful basis for processing will depend upon the circumstances of your complaint and our investigation, but will be based upon one of the following conditions:

- Condition 17(a) of Schedule 2 of the Law, “The processing is authorised by regulations made by the Committee for this purpose and carried out in accordance with those regulations.” Furthermore, the processing undertaken in accordance with this lawful basis is deemed to be necessary for the Data Controller to discharge a protective function, as defined in Section 15 of Schedule 8 of the Law;
- Condition 8 of Schedule 2 of the Law, “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” or otherwise by law, for example, the Police Complaints (Guernsey) Law, 2008; or
- Condition 13A of Schedule 2 of the Law, “The processing is necessary for a law enforcement purpose” in accordance with Section 5 of the LEO.

Who may we share your information with?

If you are reporting an incident or raising a complaint against a member of staff, the ‘accused’ officer must be informed of the nature of the incident/complaint in order to be able to respond to any allegations or concerns and also to allow for a determination to be made as to whether a full investigation needs to take place. This may require the Data Controller to share the complaint/incident report, or elements thereof, potentially including your personal data, with the ‘accused’ officer (referred to hereafter as the ‘individual under investigation’). If there are any witnesses, they will be approached and asked about the incident.

If you are providing a statement as part of an investigation, the information processed for this purpose, including your basic personal data, will be shared with various parties, including but not limited to the individual under investigation; Investigating officers; Police Association representative; defence advocate; members of the Police Disciplinary Panel; Law Officers of the Crown; Employment Tribunal members; Police Complaints Commission.

Data Protection Principles

For details of how Guernsey Police comply with the data protection principles, please see our main Fair Processing Notice, available from www.guernsey.police.uk

Contact Details

The contact details of the **Data Controller** are as follows:

The Chief Officer of Police

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

Email: 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

Data Subject Rights

The Data Protection Law and LEO provide you as an individual with certain rights.

Under Section 15 of the Data Protection (Bailiwick of Guernsey) Law, 2017 (the 'Law'), and Section 13 of the Data Protection (Law Enforcement and Related Matters) (Bailiwick of Guernsey) Ordinance, 2018 ('the LEO') individuals can ask whether any information is held about them by an organisation and request a copy of that information.

To access your information held by Guernsey Police, you will need to make a request to Bailiwick of Guernsey Law Enforcement. The best way to do this is by completing an application form www.guernsey.police.uk

The Law and LEO also provide you with other rights, including the right to complain to the regulatory authority. More information about all of your data protection rights can be found at <https://gov.gg/dp> and through the Office of the Data Protection Authority at <https://www.odpa.gg/>.

Changes to our Privacy Notice

We keep our fair processing notice under regular review. This fair processing notice was last updated on 30th August 2022.

If we plan to use your personal information for a new purpose, we will update this notice and communicate the changes before we start any new processing.