



Fair Processing Notice – Candidates

Individuals wishing to become a candidate for the General Election of People’s Deputies in October 2020 are required to complete a nomination form to the Presiding Officer of the States of Deliberation. Privacy information in respect of the personal data collected from you for this purpose and its use by the Presiding Officer, can be found in the fair processing notice at <http://www.guernseyroyalcourt.gg/> .

This Fair Processing Notice addresses the use of your personal data by the Registrar General for the 2020 election (or a processor who is authorised to act on their behalf) as part of the process of administering and delivering the 2020 election. The general election is administered by the Office of the Committee for Home Affairs under the responsibility of the Registrar-General of Electors who is the data controller.

1. The Data Protection Law

The Registrar-General of Electors is the data controller of your information in relation to delivery of the services listed below, and acknowledges their obligations under the Data Protection (Bailiwick of Guernsey) Law, 2017 (the Law) which provides a number of requirements in terms of processing activities involving personal data. The Registrar-General further acknowledges the general principles of processing as well as the rights of a data subject, and more information in relation to these provisions is 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.

Your information is collected and used so that the Registrar-General can do the following:

- Provide you with a copy of the electoral roll in accordance with The Electoral Roll (Availability) Rules, 2020;

- Facilitate publicity for your campaign through the inclusion of your manifesto details and other publicity materials within a hardcopy combined manifesto and on the Election 2020 website;
- Include your name on the ballot paper in accordance with the Elections (Nominations and Ballot Papers for People’s Deputies) Ordinance, 2020;
- The general administration of the election, associated events, election polling, vote counting and the public announcement of the election results; and
- In conjunction with the Central Returning Officer, administration relating to the provision of the candidate expenditure allowance (grant), expenditure returns and donations.

Provision of the Electoral Roll

The Registrar-General will be provided with your name and email address by the Royal Court following the submission of your nomination form. This information will be shared with TPA Limited in order to allow you to access the on-line copies of the electoral roll and other information such as walk-orders and address labels.

The processing of your basic personal data in this regard is lawful as it is necessary for the controller to comply with their duties under the Electoral Roll (Availability) Rules, 2020 in accordance with Schedule 2 condition 8 of the (Data Protection) Law.

Further information regarding the use of your personal data within the website is available on the website.

Facilitation of Publicity for Your Election Campaign

In order to assist you in publicising your manifesto the Registrar-General has put in place contracts with two local suppliers, TPA Guernsey Limited and Spike Productions Ltd.

If you choose to have your information included in the combined printed manifesto and on the election website you will need to supply materials to TPA. The information you supply is likely to include your personal data, may include special category data, and also information relating to other individuals. You are in control of the information you submit and TPA will only process this information based on your completion of a consent form which will be supplied to you and must be signed and returned when you submit your material. If you do include details relating to other individuals, for example friends or family, in any of your manifesto materials, you should obtain the consent of these individuals before doing so. You will receive a proof of your information for approval prior to its publication.

If you choose to take the opportunity to have photographs, or a short film produced (images and audio) then your information will be processed by Spike Productions. You are in control of the information you submit and Spike Productions will only

process this information based on your completion of a consent form which will be supplied to you, at or prior to, your appointment with them.

Information, imagery, videos and audio will be used across the following:

- On the www.election2020.gg for your candidate profile
- In the printed manifesto booklet for the Guernsey General Election 2020 that will be produced and distributed to those on the Electoral Roll
- Any other platforms that the States of Guernsey deems appropriate for information and promotional purposes for the Guernsey General Election 2020

As the processing of this information is based on your consent, consent can be withdrawn at any time by contacting comms@gov.gg, **although your information cannot be removed from the hardcopy combined manifesto** if consent withdrawal is received after Tuesday 8th September 2020.

Inclusion of your Name on the Ballot Paper

Your name will be supplied to the processor (UK Engage Ltd) who is responsible for the production of ballot papers so that your name can be included to allow for voters to vote for you. The processing of your basic personal data in this regard is lawful as it is necessary for the controller to comply with their duties under (Nominations and Ballot Papers for People's Deputies) Ordinance, 2020, in accordance with Schedule 2 condition 8 of the (Data Protection) Law.

General Administration of the Election

Your name, postal and email address, and telephone contact details will be requested and will be used in connection with the following:

- General administrative processes with the election team
- Facilitation of your attendance at the meet the candidate event scheduled for the 20th September 2020
- Election polling
- The public announcement of election results which will be reported through the media

The processing of your basic personal data in this regard is lawful as it is necessary for the controller to undertake a task that is of a public nature and carried out in the public interest in accordance with Schedule 2 condition 5 of the (Data Protection) Law.

Administration relating the candidate expenditure allowance (grant), expenditure returns and donations.

Your name, the names and information of suppliers you have paid in the course of your campaign, and donations received will be submitted by you to the Central Returning Officer in accordance with The Reform (Guernsey) Law, 1948 as amended and The Electoral Expenditure Ordinance, 2020. This information is needed to ensure expenditure and donations are within the permitted requirements of the Ordinance and to allow for the payment of the candidate grant.

The processing of your basic personal data, and any personal data of third parties, in this regard, is lawful as it is necessary for the controller to comply with their duties under the legislation quoted and therefore in accordance with Schedule 2 condition 8 of the (Data Protection) 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 Registrar-General acknowledges their responsibility with regards to this data protection principle and therefore the Registrar-General maintains that they 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 they are 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 Registrar-General maintains that they 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 they are 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 Registrar-General will ensure that all personal data that they hold is accurate and kept up-to-date, and any personal data that is inaccurate will be erased or corrected without delay in accordance with the provisions of the law or ordinance as applicable.

The published Electoral Roll is made available for inspection by the public at times specified by legislation to provide the opportunity for an individual to review the information held about them and report any inaccuracies to the Registrar-General.

Registration cards will be sent to each registered voter detailing their name and address and providing the opportunity for the details to be checked and any errors to be reported to the Registrar- General.

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.

Information will be retained as follows:

Your name and address as used for administration processes, your access to the electoral roll, inclusion on ballot papers will not be retained for longer than is necessary for the purposes for which it has been collected.

Images, audio and video recordings, and other information supplied for publicity purposes will be archived when no longer in use but may be used for a maximum of 15 years. The information will be stored in the States of Guernsey's image and media bank, which is available to employees. Most images used by the States of Guernsey will be archived for the future when no longer in use.

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 hard copy and electronic format.

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. Physical security is monitored and managed.

Information Security – the Registrar-General adopts and implements the information security standards of the States of Guernsey.

All data processors used as part of the delivery of the services / processes outlined within this far processing notice are subject to appropriate data protection provisions.

g. Accountability

The Registrar-General is responsible for, and can demonstrate compliance with the data protection principles.

The contact details of the Registrar-General are as follows:

The Committee for Home Affairs
Tel: 01481 717000
Email: homeaffairs@gov.gg

The contact details for the Data Protection Officer of the Committee for Home Affairs:

Data Protection Officer, the Committee for Home Affairs
Tel: 01481 717000 / or direct dial 01481 717383
Email: data.protection@gov.gg

3. Data Subject Rights

As an individual, the Law provides you with a number of rights in relation to your personal data. These are as follows:

- Right of access
- Right to data portability
- Exception to right of portability or access involving disclosure of another individual's personal data
- Right to object to processing
- Right to rectification
- Right to erasure
- Right to restriction of processing
- Right to be notified of rectification, erasure and restrictions
- Right not to be subject to decisions based on automated processing
- Right to make a complaint
- Complainant may appeal failure to investigate or progress and may appeal determinations

For more information about your rights as an individual please visit <https://gov.gg/DP>.

The Election Office
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La Charroterie
St Peter Port
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elections@gov.gg

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