

Data Processing Notice

The Building & Development Control Committee processes your personal data in line with its core mandate which is to exercise the powers and perform the duties conferred or imposed upon it by the Building & Development Control (Alderney) Law, 2002, or any Ordinance or regulation thereunder. The Committee processes personal data to discharge those duties provided by its mandate under 'The Government of Alderney Law, 2004'.

The Building & Development Control Committee is responsible for the following:

- To administer and enforce Building and Development Control legislation, including the Building and Development Control (Alderney) Law, 2002, as amended, except in relation to functions conferred on other Committees.
- To advise the States and monitor and make recommendation(s) to the States on all matters within its areas of responsibility.
- To advise the States on land use policy and to develop and implement land use policies, for approval by the States, in particular through the Land Use Plan.
- To determine applications for development or other works and approval of plans and issuing of licences and certificates under Building Regulations.
- To carry out functions in relation to the preservation of historic buildings and ancient monuments and preservation of the character or appearance of conservation areas.
- To be the body responsible for reviewing the levels of fees chargeable for applications for development or other works or in relation to approval of plans and other approvals under Building Regulations.
- To liaise with the Policy and Finance Committee in relation to the BDCC's budgetary and legislative requirements.
- To operate in accordance with the States of Alderney Rules of Procedure, the Rules of Procedure for States Committees, States policies and extant States resolutions.
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- To liaise with any other appropriate bodies and to consult with the general public on matters relating to its responsibilities.
- To be responsible for the preparation of policy and strategy for housing in the Land Use Plan.
- To be responsible for public communications relating to its responsibilities.
- To exercise functions conferred on the Committee by legislation and extant States resolutions.

1. The Data Protection Law

The Building & Development Control Committee acknowledges its obligations as per 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 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 data processing notice and can also be found by visiting www.alderney.gov.gg/dp.

2. The Principles of Processing

a. Lawfulness, fairness and transparency

Personal data must be processed lawfully, fairly and in a transparent manner.

The processing activities undertaken with the Building & Development Control Committee cover an extensive scope. Whilst this notice attempts to broadly explain these processing activities, further data processing notices have been published which provide individuals with further detail which is specific to the operational areas of the States.

In order to complete its functions, the controller collects personal data directly from the data subjects as well as from third parties. Where data is obtained indirectly, this will be, in most circumstances, from another Committee area of the States of Alderney. In these circumstances you will be aware at the point of data collection who we may contact to confirm or verify the data you have provided, or to provide us with additional information so that we can deliver the service you are seeking. Information is only shared if we have lawful basis for doing so and in order to meet the purpose for which the information was collected.

Building & Development Control Committee will process the following personal data in order to carry out their duties:

- Basic data about individuals, such as name, address, date of birth etc.
- Images including photos and CCTV.
- Financial data.
- Identification numbers such as passport details, social security numbers etc.

Building & Development Control Committee collect the following 'Special Category Data' (the most sensitive data as defined by the Law) to carry out their duties:

- Health data.
- Ethnic/Racial origin.

- Trade Union membership.
- Personal data concerning an individual's sexual orientation.
- Criminal data.
- Religious beliefs.
- Political opinions.

The personal data that is listed above is collected and processed in order to discharge the responsibilities of the Building & Development Control Committee. The lawful basis for collecting and processing each individual category of personal data and special category data is dependent upon the specific processing activity in question, and this information is provided in further detail within the data processing notices which are specific to each individual processing activity.

Where a data subject is asked to provide personal data (for example via a paper form, electronic form or email etc.) that individual will be provided with a website address or a link to the relevant data processing notice which details all of the requisite information as required by the Law. All personal data (listed above) are collected and processed in a lawful manner in accordance with the Law. Schedule 2 (Conditions for Processing to Be Lawful) of the Law provides a number of conditions to ensure that the processing of personal data by a controller is lawful. The relevant condition varies according to the specific processing activity in each case, for a full list of conditions that the controller may rely upon please click [here](#).

The States of Alderney 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. In order for Agilisys to carry out the function they are contracted to provide, there will be instances where they may have sight of the personal data which is collected and processed by the States of Alderney. The controller will only provide Agilisys with access to 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.

Any communication or document provided to the States of Alderney (States Members or Civil Servants) may be analysed and processed by States Members or Civil Servants. These communications or documents may be further processed and referenced within internal reports, with comments and opinions added. Any information provided directly by the data subject may be used in this manner. If any personal information that is processed has come from an online source or has been provided by a third party then the data subject will be notified of this processing.

If any information that is provided to the States of Alderney is of an immoral nature, such as, but not exclusively, criticising other citizens of Alderney, claiming to represent the States of Alderney or offering opinions on anyone working for the States this information will almost certainly be further processed and passed onto other staff and possibly other authorities, depending on the nature of the communication.

If any information provided is of an illegal nature, threatening, breaks any Alderney or Bailiwick law or is related to a criminal activity or offence it may be passed on to the police, customs, courts or other authorities for further processing which may result in consequences.

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 Committee 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). In limited circumstances, data may be transferred to an authorised jurisdiction. Such transfers are infrequent, however a lawful basis for processing exists and appropriate safeguards are applied to the transfer of information.

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 Committee 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 Committee and relevant operational areas will ensure that all personal data that is held is accurate and kept up-to-date, and any personal data that is inaccurate will be erased or corrected without delay in accordance with provisions of the Law or Ordinance as applicable.

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.

Personal data and special category personal data will be retained in accordance with the States of Alderney Records Management Policy and the States of Alderney Retention and Disposal Schedule, together with any service area specific schedules and policies.

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.

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.

Information Security – all departments and relevant operational areas adopt the information security standards of the States of Alderney.

g. 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:

The Building & Development Control Committee

Tel: 01481 820010

Email: ceo@alderney.gov.gg

The contact details for the States of Alderney Data Protection Officer is as follows:

States of Alderney Data Protection Officer

Tel: 01481 820049

Email: dp@alderney.gov.gg