



The Guernsey Charity for the support of Victims and Witnesses

**PLEASE NOTE: The Data Protection (Bailiwick of Guernsey) Law, 2017 requires us to provide certain information to you. We provide this via our Data Processing Notice below.**

## **DATA PROCESSING NOTICE**

This Data Processing Notice (also known as a Privacy Policy) sets out how the Bailiwick of Guernsey Victim Support and Witness Service LBG (VS&WS) processes personal information, i.e., any information relating to an identified or identifiable living individual, whether that information is collected directly from you, through VS&WS website or by any other means.

This notice sets out your data protection rights.

### **Who is VS&WS?**

The Bailiwick of Guernsey Victim Support and Witness Service is an independent charitable organisation offering free and confidential support to victims and witnesses of crime and their family and friends.

Our services are free and confidential

We are committed to protecting your personal information.

VS&WS is committed to respecting and keeping safe any personal information you share with us or that we get from other agencies/organisations. This privacy notice sets out the basis on which we will process personal information, whether that information is collected through VS&WS or by any other means.

### **What information do we collect?**

We process personal information to enable us to provide emotional support and practical assistance to victims and witnesses of crime.

Personal information includes contact details, gender, date of birth and other identifying information.

We also process other information which may include

- brief details of any crime/alleged crime committed against, or witnessed by you and, if available, the name of the perpetrator/alleged perpetrator.
- brief details of any support we provide to you

- other details as provided which may include Special Category Data which requires explicit consent.

“Special Category Data” means –

- personal data revealing an individual’s –
  - Racial or ethnic origin
  - Political opinion
  - Religious or philosophical belief
  - Trade union membership
- genetic data
- biometric data
- health data
- personal data concerning an individual’s sex life or sexual orientation
- criminal data

#### **How do we use the information we hold, and what is the legal basis for this use?**

- We process personal information to enable us to provide emotional support and practical assistance to victims and witnesses of crime. We use the legal basis of ‘consent’ to process your data and will request that you sign a separate Confidentiality and Consent Agreement to evidence your consent to the processing of your personal data for this purpose. In certain circumstances we may receive and, necessarily, process data about you before you have signed the VS&WS Consent Agreement. This data is usually received directly from you, your family members/concerned parties or, with your consent, through the Police, legal representatives, or other legitimate agencies.

#### **Why we might share your personal information**

The VS&WS Service will only share personal information with another agency/organisation under exceptional circumstances. These are: -

- if we believe that you or someone else is at risk of significant harm. We have a duty to report any issues or suspicions relating to child protection or adult safeguarding
- also, in relation to adult safeguarding, if you have been assessed as ‘at high risk’ by MARAC (Multi Agency Risk Assessment Conference) we may pass relevant information relating to our contact with you to the MARAC co-ordinator. This is done via secure email and a record of this is stored on our database
- where there is another legal reason or requirement to disclose personal information

#### **Who might we share this data with?**

Personal data may be shared with government authorities, law enforcement officials or other agencies if required for the purposes above.

### **What information do we receive from third parties?**

For victims of crime who have given their consent, the Police provide us with your contact information and date of birth, details of the crime committed and the name and date of birth of the alleged perpetrator. We hold the same information for self-referrals and those received from other agencies.

For criminal court witnesses and people appearing in the Family Courts, the type of information we hold can vary but it may include contact details, the name of the defendant/other party and, if applicable, the nature of the crime. All witness referrals must be made with your consent and they may be received from the Police, the Law Officers, private legal offices or other agencies and organisations, e.g., Safer LBG. You may also self-refer.

### **Withdrawing consent**

1. Wherever we rely on your consent, you will always be able to withdraw that consent unless we have legal grounds for processing the data, such as those set out above. You can withdraw your consent by contacting us using the details set out in the '**Getting in touch with us**' section below. By withdrawing your consent, we may not be able to provide you with the services you require.

### **What rights do you have?**

At the heart of data protection are the [10 rights](#) of the individual whose personal data is being processed.

#### **You have the following 10 rights under *The Data Protection (Bailiwick of Guernsey) Law, 2017***

1. the right to information about the collection and the use of your personal data
2. the right to access personal data
3. the right to object to processing for direct marketing purposes
4. the right to object to processing on grounds of public interest
5. the right to object to processing for historical or scientific purposes
6. the right to have inaccurate or incomplete personal data to be rectified or changed
7. the right to erasure (to be forgotten) in certain circumstances
8. the right to restrict processing in certain circumstances
9. the rights not to be subject to decisions based on automated processing
10. the right to data portability

## Your rights- highlights

For more detailed information and guidance about your rights please contact Office of the Data Protection telephone 742074, email: [info@odpa.gg](mailto:info@odpa.gg) or visit the website [www.odpa.gg](http://www.odpa.gg). The address of The Office of the Data Protection Authority is Block A, Lefebvre Court, Lefebvre Street, St Peter Port, GY1 2JP

- This Data Processing Notice serves to satisfy your **right to information** about the collection and the use of your personal data.
- You have the right to **ask us for a copy** of your personal data, either electronically or as a hard copy by submitting a 'data subject access request' (DRAR). Please see [guidance for individuals who wish to make a DSAR](#)
- If you dispute the accuracy or completeness of your personal data about you, you have the right to require that we **correct or change** the data.
- For data processed in certain circumstances you have the right to require that we **erase your personal data**. This right is sometimes referred to as a "right to be forgotten".
- For data processed in certain circumstances you have the right to obtain a **restriction of processing**.

You can exercise these rights by writing to us. Please see the '**Getting in touch with us**' section below.

## How long will we retain personal data?

Personal data may be retained for 7 years following date of last contact to allow us to provide an effective service to clients. This retention period is subject to review.

## Getting in touch with us

Our designated Data Protection Officer can be contacted for enquiries and complaints: -

The Manager, Tel: 223000, Email: [victimsupportgsy@cwgsy.net](mailto:victimsupportgsy@cwgsy.net), or write to Victim Support and Witness Service, Royal Court, St Peter Port, Guernsey, GY1 2NZ.