



THE OFFICE OF THE **DATA PROTECTION COMMISSIONER**

The Data Protection (Bailiwick of Guernsey) Law, 2017 ("the **Law**")

The Principles

The Law requires controllers to comply with the **seven data protection principles** when processing personal data. Ensure you understand what each principle requires and how that impacts your organisation.

1. Lawfulness, Fairness and Transparency

Processing of personal data is **lawful** only if a valid condition for processing can be relied upon. For [special category data](#), at least one of the conditions in Part II or III of Schedule 2 must be satisfied. For the processing of any other personal data at least one condition in Part I or II of Schedule 2 must be satisfied. More detailed guidance can be found [here](#).

Fair processing relates to the method in which the personal data is obtained, including whether any person from whom it is obtained is deceived or misled as to the purpose or purposes for which it is to be processed.

Transparency of processing is achieved by the provision of information to the individual at the time of collection explaining how the personal data is to be used including how long it is to be retained for, to whom it may be disclosed or transferred, together with reference to the rights individuals have over their data. More detailed guidance is available [here](#).

TOP TIPS

- Understand your processing in detail.
- Establish and document which condition you are relying on for all processing involving personal data and special category data.
- Ensure you provide all necessary information to data subjects.

2. Purpose Limitation

Personal data must be collected for a specific, explicit and legitimate purpose and once collected must not be processed in a manner incompatible with that purpose or those purposes.

TOP TIPS

- Establish and document the purpose for which you process all personal data and special category data.
- Ensure a full data protection compliance review is conducted if that purpose changes.

3. Minimisation

Personal data processed must be adequate, relevant and limited to what is necessary in relation to the purpose for which it is processed.

TOP TIP

- Only hold data that you need and make sure you provide the required detail to the data subject about why you need their data and how you intend to process it.

4. Accuracy

Personal data must be accurate and where applicable, kept up to date, and reasonable steps must be taken to ensure that personal data that is inaccurate (having regard to the purpose for which it is processed) is erased or corrected without delay.

TOP TIPS

- Think about how you will ensure data you process are accurate and put procedures in place to review accuracy where appropriate.
- Make it easy for data subjects to review and correct their data.

5. Storage Limitation

Personal data must not be kept in a form that permits the identification of a data subject any longer than is necessary for the purposes for which it is processed.

TOP TIPS

- Identify and document retention periods for all personal data you process and put in place procedures to implement those.
- Ensure data destruction methods are appropriate and secure.

6. Integrity and Confidentiality

Personal data must be processed in a manner that appropriately ensures its security, including protecting it against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

TOP TIPS

- Ensure appropriate security of all data you process, both electronic and paper based.
- This is an organisation-wide responsibility, not just one for your IT team.
- Look at your privacy policies – only you know how they stack up against reality!

7. Accountability

Controllers are responsible for compliance with the data protection principles and must be able to demonstrate that compliance. More detailed guidance covering accountability can be found [here](#). Information relating to the duty to keep records, another part of accountability, can be found [here](#).

TOP TIPS

- Work through each principle and document how you are taking steps to ensure compliance.
- Regularly review and update those documents involving all key staff in that process.