

Department of the Environment

Privacy Notice (Fair Processing Notice)

Introduction

The Department of the Environment is registered as a 'data controller' under the Data Protection (Jersey) Law 2005 as we collect and process personal information about you. We process and hold your information in order to provide public services and meet our statutory obligations. This notice explains how we use and share your information. Information may be collected on a paper or online form, by telephone, email, or by a member of our staff, or in some cases, by another States department.

We will continually review and update this privacy notice to reflect changes in our services and feedback from service users, as well as to comply with changes in the law.

Why do we collect information about you?

We need to collect and hold information about you, in order to:

Environmental Health

- investigate complaints about food hygiene, safety or labelling standards
- administer food hygiene standards
- provide Health Certificates for export of food
- personal import / export of food items
- investigate notifications of infectious disease
- investigate statutory nuisance complaints
- carry out swimming pool inspections
- investigate and monitor contaminated land in relation to health impacts
- investigate complaints regarding defective private drainage
- comment on alcohol licensing and places of refreshment licensing
- attend exhumations
- investigate complaints of "filthy and /or verminous" premises
- investigate referrals about safeguarding
- investigate complaints of housing disrepair and unfitness
- undertake proactive housing inspections such as 'staying put' (individual focussed)
- undertake proactive housing inspections such as 'Rent Safe' (business focussed)
- enforce tobacco control legislation
- provide advice on potable water supplies
- air quality monitoring of vehicles
- provide advice on pest control issues
- regulate the supply of wholesome water
- manage and regulate water quality

Environmental Policy and Awareness

- deliver environmental awareness programmes; such as the eco active business campaign to encourage environmental responsibility across all sectors
- deliver the States of Jersey's Energy Plan to ensure secure, affordable and sustainable energy

Environmental Management and the Rural Economy (EMRE)

- manage and deliver the Rural Economy Strategy
- provide an advisory and scientific service to farmers, growers, the dairy industry and other government departments
- diagnose plant pests and diseases, analyse soil, water and plant tissue samples
- provide qualified advice on pesticides and research into techniques to reduce the environmental impact of agriculture
- monitor statutory plant health risks and provide a protective framework
- maintain and improve an access network to enable access to the Island's countryside
- manage the delivery of marine resource strategies including the Integrated Coastal Zone Management Strategy
- regulate commercial and leisure fishing activity, aquaculture and exploitation of living aquatic resources in the 800 square miles of Jersey waters
- administer the Agricultural Land Control of Sales and Leases (Jersey) Law 1974 in order to control the occupation and use of agricultural land and to ensure that a stable, viable agricultural land bank is retained for the farming industry

Environmental Protection

- manage & regulate water quality through pollution prevention campaigns, the permitting of discharges and the enforcement and clean up following pollution incidents
- protect and safeguard the availability of our water resources through registration and licensing
- control and enable the export of hazardous waste off-island (Transfrontier shipment consent)
- respond to unauthorised waste activities including fly tipping and burning
- regulate waste treatment activities, waste carriers and development activities
- inspect plants and packaging imported through the harbour, airport and post office
- undertake On-island statutory surveys of plant pests and diseases
- investigate pesticide spray complaints as well as ensuring correct storage and disposal of pesticides
- undertake Statutory Plant Health Surveys

Meteorological Services

- provide meteorological services to the Channel Islands' communities
- provide specialised services to meet the needs of specific industries including Channel Island airfields, the Channel Islands Control Zone and a comprehensive shipping forecast
- record and analyse climate data

Veterinary Services

- promote animal health and welfare practice for all farmed, captive and domestic species by providing advice and investigating adverse welfare complaints
- exercise controls to prevent notifiable animal, poultry and fish diseases to protect the health of animals, poultry and fish and in the case of zoonoses, humans
- facilitate the import and export of animals and animal products for the Island

Building Control

- process and determine building bye-law applications ensuring they meet the standards for the design and construction of buildings to ensure that buildings are safe, healthy, accessible and sustainable for current and future generations
- investigate complaints made under the dangerous building provisions of the Planning and Building (Jersey) Law
- investigate and resolve breaches of the building bye-laws

Development Control

- process and determine development applications ensuring that development and land use achieve an appropriate balance between environmental protection and economic growth in accordance with the adopted Island Plan
- seek quality in the design of the built environment in relation to development proposals
- investigate and where appropriate, regulate breaches of the Planning and Building (Jersey) Law 2002 to uphold the requirements of the planning and building control legislation
- provide information relating to land or buildings

Policy, Projects and the Historic Environment

- keep the Island Plan and supplementary planning guidance up to date;
- provide planning policy advice in relation to some development proposals
- identify, assess and designate buildings and places of special architectural, archaeological and historic interest
- provide advice in relation to development proposals where they might affect Jersey's historic environment
- manage the Jersey Architecture Commission, to ensure the architectural appraisal of key development proposals and to promote good design

How will we use the information about you?

We will use the information you provide in a manner that conforms to the Data Protection (Jersey) Law 2005. We will endeavour to keep your information accurate and up to date and not keep it for longer than is necessary. In some instances the law sets the length of time information has to be kept. We will process your information for the following purposes:

- to carry out the service you have requested, and to monitor and improve our performance in responding to your service request
- to ensure that we meet our legal obligations
- where necessary for our law enforcement functions
- to prevent and detect crime
- to process financial transactions including grants or payment of benefits
- where necessary to protect individuals from harm or injury
- to allow the statistical analysis of data so we can plan the provision of services

We may not be able to provide you with a service unless we have enough information or your permission to use that information.

We will not pass any personal data on to anyone outside of the States of Jersey, other than those who either process information on our behalf, or because of a legal requirement, and we will only do so, where possible, after we have ensured that sufficient steps have been taken by the recipient to protect your personal data.

We will not disclose any information that you provide 'in confidence', to anyone else without your permission, except in the few situations where disclosure is required by law, or where we have good reason to believe that failing to share the information would put someone else at risk. You will be told about this.

We may process your information overseas using web services that are hosted outside the European Economic Area, but only with data processing agreements that meet our obligations under the Data Protection (Jersey) Law 2015

Data Sharing

We may need to pass your information to other States of Jersey (SOJ) departments or organisations to fulfil your request for a service. These departments and organisations are obliged to keep your details securely, and only use your information for the purposes of processing your service request.

If we need to disclose any sensitive or confidential information about you, we will only do so once we have obtained your consent, unless we are legally required to do so. We may disclose information to other departments where it is necessary, either to comply with a legal obligation, or where permitted under other legislation. Examples of this include, but are not limited to: where the disclosure is necessary for the

purposes of the prevention and/or detection of crime; for the purposes of meeting statutory obligations; or to prevent risk of harm to an individual, etc.

At no time will your information be passed to organisations for marketing or sales purposes or for any commercial use without your prior express consent.

Publication of your information

We may need to publish your information on our website and/or in the Jersey Gazette for the following reasons:

- Where we are required by law to publicise certain information, for example the name of an applicant submitting a planning application.
- In the interests of demonstrating a fair and transparent decision making process, for example the comments of someone objecting to a planning application.
- Where you have asked us to publish your information, for example where a Landlord is a sole trader but wants to appear on the States of Jersey Rent Safe register to show they hold an accredited rating.
- Where we are required to provide statistical information about a group of people; although your data will be anonymised to protect your identity.
- Where you have responded to a public consultation, although your comments will be anonymised to protect your identity.

We will not publish any of your sensitive personal information unless there is a requirement for us to do so in order to carry out our statutory functions. For example: where information about a disability or illness is crucial in determining the outcome of a planning application, which would otherwise be refused as it contravenes the Policies of the Jersey Island Plan.

Telephone Calls

We do not record or monitor any telephone calls you make to us using recording equipment, although if you leave a message on our voicemail systems your message will be kept until we are able to return your call or make a note of your message. File notes of when and why you called may be taken for record keeping purposes. We will not pass on the content of your telephone calls, unless it is necessary for us to do so; either to fulfil your request for a service; to comply with a legal obligation, or where permitted under other legislation.

E Mails

If you email us we may keep a record of your email address and a copy of the email for record keeping purposes. For security reasons we will not include any confidential information about you in any email we send to you. We would also suggest that you keep the amount of confidential information you send to us via email to a minimum or use our secure online services where possible or correspond with us by post. We will not share your email address or your email contents unless it is necessary for us to do so; either to fulfil your request for a service; to comply with a legal obligation, or where permitted under other legislation.

Your rights

You can ask us to stop processing your information

You have the right to request that the Department of the Environment stop processing your personal data in relation to any of our services. However, this may cause delays or prevent us delivering a service to you. Where possible we will seek to comply with your request but we may be required to hold or process information to comply with a legal requirement.

You can ask us for a copy of the information we hold about you

You are legally entitled to request a list of, or a copy of any information that we hold about you. However where our records are not held in a way that easily identifies you, for example a land registry, we may not be able to provide you with a copy of your information, although we will do everything we can to comply with your request.

You can complain about the way your information is being used

All personal information will be processed in accordance with the Data Protection (Jersey) Law 2005. If you have an enquiry or concern regarding the processing of your personal data by the Department of the Environment please contact: The Data Protection Officer, Department of the Environment, South Hill, St Helier, Jersey, JE2 4US

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