

# Privacy Notice

## 1.- Purpose of privacy notice

The Department of Equality is committed to protecting and respecting your right to privacy. This privacy notice aims to provide you with information on what data we collect about you, what we do with that information and why we do it, who we share it with, and how we protect your privacy.

This notice covers all personal data collected by the Department of Equality and where we tell other organisations to collect information for us. This is the same whether the data are collected by letter, email, face to face, telephone or online.

The Department of Equality holds and processes personal data in accordance with the European Union's General Data Protection Regulation ("GDPR") and the Data Protection Act 2004.

It is important that you read this privacy notice together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data.

We may change this privacy notice from time to time, so please check occasionally to ensure that you are happy with any changes.

## 2.- Personal Data

Personal data are information that identifies a living person. That can be obvious information like a name or an address, but it may also be something like an IP address.

This includes information you tell us about yourself, information we are provided by other people or organisations, or what we learn when you use services we provide.

Some information is considered more sensitive or special:

- Sexuality and sexual health.
- Religious or philosophical beliefs.
- Ethnicity.
- Physical or mental health conditions.

- Trade union membership.
- Political opinion.
- Genetic/biometric data.
- Criminal history.

If for any reason we have to collect any of the above, we will inform you of the reason and we will take extra care when collecting and using these types of special information.

### 3.- Who we are

The Department of Equality is the data controller and is responsible for your personal data (collectively referred to as the Department of Equality, “we”, “us” or “our” in this privacy notice).

If you have any questions about this privacy notice or any of our privacy practices, please contact us on the below details:

Department of Equality HM Government of Gibraltar  
14 Governor’s Parade  
Gibraltar  
GX11 1AA

Email: [equality@gibraltar.gov.gi](mailto:equality@gibraltar.gov.gi)

Tel: (+350) 20046253

Alternatively, you can contact our Data Protection Officer:

Data Protection Officer  
Government Law Offices  
No.40 Town Range  
Gibraltar  
GX11 1AA

Email: [dpo@gibraltar.gov.gi](mailto:dpo@gibraltar.gov.gi)

## 4.- What personal data do we collect?

Personal data means any information about you from which you can be identified. It does not include data where the identity has been removed (anonymisation).

The Department of Equality collects, stores, and processes personal data in order to be able to provide equality services, in accordance with the Disability Act 2017 and/or any other legislation in force at any given time, which may apply to us.

We may collect, use, store and transfer different kinds of personal data about you as follows:

- **Identity Data** – this includes [first name, maiden name, last name, marital status, nationality, title, date of birth and identity card or E111 details].
- **Contact Data** – this includes [residential address, email address and telephone numbers].
- **Medical Data** this includes information on any disability / impairment you may have and how this affects your day to day life.

Personal data about you is private and confidential and will not be disclosed to anyone not connected with the provision of our services, unless you give us your consent, the disclosure forms part of a data sharing agreement, memorandum of understanding, or the law permits or requires it.

Please note that where required by law, or in order to assist with criminal investigations, we will disclose information to law enforcement or fraud prevention bodies, judicial bodies, Government departments, taxation or regulatory authorities.

## 5.- How we collect your personal data

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your identity and contact details by filling in forms or by corresponding with us by post, phone, email or in person. This includes personal data you provide when you:
  - Raise a complaint with us.
  - Register for an event / competition organised by us.
  - Use our services.

- Give us feedback or contact us.

## **6.- How we use your personal data**

We will always comply with data protection law. This says that the personal information we hold about you must be-

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

We will only use your personal data for the purpose for which we collected it, which include the following:

- To register you to our services.
- Where we need to comply with a legal obligation.
- Where we need to perform the service we are about to enter into or have entered into with you.
- To manage your service user interaction with us.

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the lawful bases we rely on to do so. Note that we may process your personal data under more than one lawful ground depending on the specific purpose for which we are using your data.

Generally, we do not rely on consent as a lawful basis for processing your personal data. However, in order to organise events and surveys we will rely on the lawful basis of consent to process your name and contact details. This information will only be used to ensure that we cater for attendee numbers and to contact you in regards to that specific event and/or survey.

Purpose/Activity	Type of data	Lawful basis
<p>To register and provide you with services for the Disability Information Card project.</p>	<ul style="list-style-type: none"> <li>a. Identity</li> <li>b. Contact details</li> <li>c. Medical Information</li> </ul>	<p>We rely on Article 6(1)(e) of the GDPR, processing that is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us as data controller.</p> <p>This lawful basis is further supplemented by reliance on section 10 of the Data Protection Act 2004, which allows for the processing of personal data when exercising a function of a government department.</p> <p>In order to lawfully process your medical information we also rely on Article 9(2)(g) of the GDPR, processing that is necessary for reasons of substantial public interest. This is specifically related to Schedule 1, Part 2, paragraph 16 of the Data Protection Act 2004 (Support for individuals with a particular disability or medical condition).</p>
<p>To register and provide you with services for the RADAR Key project.</p>	<ul style="list-style-type: none"> <li>a. Identity</li> <li>b. Contact details</li> </ul>	<p>We rely on Article 6(1)(e) of the GDPR, processing that is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us as data controller.</p> <p>This lawful basis is further supplemented by reliance on section 10 of the Data Protection Act 2004, which allows for the processing of personal data when exercising a function of a</p>

		<p>government department.</p> <p>In order to lawfully process your medical information we also rely on Article 9(2)(g) of the GDPR, processing that is necessary for reasons of substantial public interest. This is specifically related to Schedule 1, Part 2, paragraph 16 of the Data Protection Act 2004 (Support for individuals with a particular disability or medical condition).</p>
<p>To organise events / competitions:</p> <p>a. Obtaining personal information</p> <p>b. Asking you to leave a review, take a survey or participate in an event or competition.</p>	<p>a. Identity</p> <p>b. Contact details</p>	<p>Article 6(1)(a) of the GDPR, processing undertaken under your consent.</p>

## 7.- Security, sharing and disclosure of personal data

The security and confidentiality of your data is very important to us.

We will:

- Ensure safeguards are in place to make sure personal data are kept secure in compliance with the Government's Information Security Policy.
- Ensure that your data remains under the control of our authorised controllers and processors with adequate safeguards to protect your rights.

- Ensure only authorised staff are able to view your data.
- Not make your information available for commercial use.
- Only ask you for what is needed.

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

All of our staff are trained in the importance of protecting personal and other sensitive information. All civil servants are required to work in line with the core values set out in the General Orders, including; integrity and honesty.

## **8.- Retention of personal data**

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe, there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory or other requirements.

In some circumstances, you can ask us to delete your data: see [Your Rights] below for further information.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

## 10.- Your rights

You have the right to ask us:

- to confirm whether we hold any of your personal data;
- to provide you with a copy of any personal data that we hold about you;
- to correct any inaccuracies in your personal data and to modify it in such a way if you believe the personal data we hold is incomplete;
- to delete (in as much as is possible in the specific circumstances) any of your personal data, where we are required to do so by law;
- to stop processing your personal data, where required to do so by law;
- to let you have a portable copy of the personal data we hold about you, where required to do so by law;
- to stop processing any of your personal data that is processed by us on the basis of our legitimate interests; and
- where we process your personal data on the basis that you have given us your consent to do so, you may contact us at any time to withdraw your consent;

If you wish to exercise any of these rights, or object to our processing your personal data, please email us on [equality@gibraltar.gov.gi](mailto:equality@gibraltar.gov.gi) or write to us at:

Department of Equality  
HM Government of Gibraltar  
14 Governor's Parade  
Gibraltar  
GX11 1AA

If you remain dissatisfied, you can make a complaint about the way we process your personal information to the Gibraltar Regulatory Authority details found on their website at [www.gra.gi](http://www.gra.gi) or by emailing them on [info@gra.gi](mailto:info@gra.gi)