



# Jersey Bank Depositors Compensation Board

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## **Privacy Notice for protection of personal data – Updated May 2022**

### **Introduction**

Personal data is data which by itself, or with other data available to us, can be used to identify a person. The controller of your personal data is Jersey Bank Depositors Compensation Board (JDCS).

We can be contacted at Jersey Bank Depositors Compensation Board, Freepost JE 733, Jersey JE1 1AF

We are constituted under Article 8 of the Banking Business (Depositors Compensation) (Jersey) Regulations 2009.

We will receive information from banks and such information will be used to further any claims under the Jersey Bank Depositors Compensation Scheme and also to improve the Scheme processes.

This data protection statement sets out how we will use personal data. If you have any concerns or questions about our use of your personal data, please contact us at [info@jdcj.je](mailto:info@jdcj.je) or write to the address above.

### **The types of personal data we collect and use**

We will use personal data for the purposes set out below. The personal data we process may include:-

- Title, Depositor first, second and third forenames, Depositor surname, National ID Number or Social Security Number and/or Passport Number, Date of Birth, Address, Postcode, Country of the Depositor Address, email address, phone number, mobile phone number,
- Details of your account including balances and types of account held; and
- Health, criminal convictions or alleged criminal activity and notifications held by your bank such as if a 'sanctioned' individual or subject to probate obligations.

### **Purpose and legal basis of processing your personal data**

The purpose of the JDCS for processing your personal data is to:-

- Consider claims for compensation.
- Pursue recoveries.
- Administer and raise the JDCS levy; and
- Perform its other business and ancillary public functions such as personal data use in:-
  1. Cookies and analytics on our website.
  2. Our communications, including the contact centre and newsletters.

3. Complaints.
4. Procurement.
5. Testing whether the systems work in advance including tests using 'live data'.
6. Monitoring and recording emails; and other communications;
7. Recruitment, employment and pensions.
8. Surveys and customer feedback.
9. Disclosure required by third parties.
10. Cyber security.

In order to process personal data, JDCS must identify at least one legal basis on which to do so. JDCS' legal bases are:-

(i) For general personal data:- Legal obligation basis and/or public interest basis or legitimate interest basis.

(ii) For Special Category Data (eg health or criminal conviction information): consent basis or based on statutory permissions relating to:-

1. Use in employment, social security and social protection law,
2. Use under the Banking Business (Jersey) Law and regulations or orders made under that law, or
3. Use in the establishment, exercise or defence of legal claims.

Your data will be used by the JDCS and any third parties the JDCS uses to deliver services to us and data subjects, to exercise levy-raising duties and to pursue financial recoveries. It will also be used during its normal statutory duties including ancillary purposes. We will also collect your personal data from any of the following to process your claim (although this is not intended to prevent us from using data received from other sources we have not yet identified):

- Claims Management Companies.
- Product Providers.
- Deposit Takers and bodies carrying out the function of community savings initiatives.
- Insolvency Practitioners.
- Advisers.

The JDCS may during its service delivery need to transfer your personal data to anywhere in the world although it is not currently envisaged that this will be to jurisdictions other than the UK or Ireland. These transfers are subject to compliance with internal procedures and applicable data protection laws to ensure appropriate safeguards are in place including standard contractual clauses where data is transferred to jurisdictions outside Jersey and outside the EU.

### **Retention of data**

In line with current Jersey statutory limitation periods your data will be stored for a maximum of 10 years following the payment of compensation or after any legal action relating to claims in respect of the bank in default are finished, except for employee and pension archiving which is a maximum of 50 years, and

except for the archiving of limited claims data to comply with our statutory duty to ensure the efficient running of JDCS. Personal data involved in live testing will be deleted as soon as practicable after testing and within 90 days as a long-stop.

### **Rights in respect of data**

You have various rights regarding your personal data. These are rights to subject access requests, rectification of inaccurate personal data, erasure (deletion) of personal data, restriction of processing, objection to processing and portability of data

You have the right to withdraw your consent to data processing at any time but this may affect your ability to receive compensation under the JDCS as we would be unable to process your claim.

### **Processing**

The provision of your personal data is required to process compensation claims. If you refuse to provide certain information when requested, we may not be able to deliver the service requested (such as paying compensation), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

When processing claims, the JDCS may make automated decisions as to whether the claim meets the applicable criteria or to calculate the amount of the compensation. This is for speed and efficiency, and only in some circumstances. These decisions may be based on an automated review of information you supply to us, by letter, online or by phone, for key indicators that you are entitled to compensation.

We may use an automated calculator to compute the amount of compensation from information supplied by you or from the insolvent bank relevant to your claim. If your claim has been decided based solely on automated processing, we will tell you when we inform you of the decision. You will then have a month to ask us to reconsider our decision, or take a new decision not based solely on automated processing. We will then endeavour to comply with your request within a month of receiving it, but this period may be extended, or we may refuse your request or charge a fee in limited circumstances.

### **Complaints**

You have the right to lodge a complaint with the Jersey Office of the Information Commissioner (ICO), the supervisory authority if you are dissatisfied with our treatment of your personal data. They can be contacted via [www.jerseyoic.org](http://www.jerseyoic.org), or [info@jerseyoic.org](mailto:info@jerseyoic.org) but we would welcome an opportunity to try to deal with your complaint first and can be contacted by email to [info@jdcs.je](mailto:info@jdcs.je)