



External Privacy Notice: CORONAVIRUS COVID-19

Introduction

This privacy notice is to make it easier to understand and provide you with more information about how the Isle of Man Constabulary Police may seek to collect and hold additional information about you in relation to the Coronavirus pandemic (COVID-19).

We may seek to collect and process your personal data in response to the recent outbreak of Coronavirus, which is above and beyond what would ordinarily be collected from you, to ensure the safety and well-being of our officers, staff and the general public. Sometimes, we may have a legal obligation to process more personal data, or do so as part of our public task, or in order to protect vital interests of any person. Sometimes, we may process data for law enforcement purposes, where we the Chief Constable has an obligation to prevent or detect crime, or for enforcement purposes.

Such information will be limited to what is proportionate and necessary, taking into account of the latest guidance issued by the Government and health professionals, in order to manage and contain the virus. It will enable the Chief Constable to effectively fulfil his functions to keep people safe.

Where Coronavirus related information is to be used for general reporting or statistics, steps will be taken to anonymise the data and general numbers used, wherever possible.

What personal data is being collected?

Personal data will be collected to enable us to identify anyone during a policing task where a person is potentially infectious or considered vulnerable, where it relates to that policing purpose and is part of our public task, or if it is for law enforcement. This means that we might ask for information from other Government authorities which relate to your residency or health status, or what permission you have return to, or remain on the Isle of Man under the Public Health (Coronavirus) Regulations 2020.

What is our lawful basis for processing your personal data?

The Data Protection Legislation in the Isle of Man¹ requires specific conditions to be met to ensure that the processing of personal data is lawful.

This includes:

- Where processing the personal data is necessary in order to protect the vital interests of the data subject or another natural person (and for sensitive data, where that person cannot reasonably give their consent)
- Where processing is necessary for the exercise of any other functions of a public nature, in law, and is in the public interest

The current Coronavirus emergency is deemed to be a compelling public interest which might require the processing of personal data which is sensitive although as the risk level changes, whether processing is necessary and proportionate will depend on the data being processed at a particular time for a particular purpose and we do not routinely share information which it is not necessary to share.²

The Data Protection Legislation which is applied to the Isle of Man sets out that some processing of personal information may serve both important grounds of public interest, and the vital interests of the data subject, including as an example where processing is necessary for humanitarian purposes, including for monitoring epidemics and their spread.³

The Chief Constable also has some common law powers to protect and save lives. The Public Health Protection (Coronavirus) Regulations 2020 also give some legal powers to the Chief Constable to police for the purposes of enforcement of offences which might take place relating to the public health response.

Am I required to provide my personal data under a statutory requirement, or am I obliged to provide it?

The Constabulary might ask you for information where it is necessary for a policing purpose or part of its public task, usually where we seek evidence tending towards offences being committed, or where it is in the vital interests of the person or another person, or to maintain public safety or prevent an offence from occurring.

All information we collect is managed in a confidential manner. All information is held securely and processed on a 'need to know' basis by only a limited number of people. If there is a need to disclose outside of this, the minimal amount of personal data will be used.

¹ The Data Protection Legislation in the Isle of Man comprises the Data Protection (Application of GDPR) Order 2018, and the Data Protection (Application of LED) Order 2018 implemented in the Isle of Man under the GDPR and LED Implementing Regulations 2018.

² See Schedule 2, Part 1, Paragraphs (health or social care purposes) and 3 (public health) and Schedule 2, Part 2 paragraph 5 (reasons of substantial public interest), 8 (preventing or detecting unlawful acts), 22 (safeguarding of children and natural persons at risk), and Schedule 2 Part 3, paragraph 25 (protecting natural person's vital interests)

Regulations and Guidance which might include further advice or legal guidance can be found at <https://covid19.gov.im/about-coronavirus/regulations/>

How long will my personal data be retained?

We will only keep your information for as long as it necessary, taking into account of Government advice and the on-going risk presented by Coronavirus, and details of our retention policy otherwise will not change.

Information provided by you in relation to managing the Coronavirus impact, spread or incidence on the island will not be used for any other purpose other than set out in this notice.

When the information is no longer needed for its purpose, it will be securely deleted.

Your rights

If you would like to know more about how we process your personal data, including how you can exercise your information rights, you can go to

<https://www.iompolice.im/footer/about-this-website/how-we-use-personal-information/>

<https://www.iompolice.im/media/1116/how-we-use-personal-data-v2.pdf>

Further advice and guidance from the ICO on this issue can be found:

<https://www.inforights.im/organisations/latest-news-updates/2020/mar/coronavirus-data-protection-and-freedom-of-information/>

[https://ico.org.uk/for-organisations/data-protection-and-coronavirus/\[PN2\]](https://ico.org.uk/for-organisations/data-protection-and-coronavirus/[PN2])