

CHECKLIST: DRAFTING A DATA PROTECTION STATEMENT/PRIVACY NOTICE



This checklist is designed to help organisations in Jersey prepare or review a privacy notice so that it meets the requirements of Art.12 of the Data Protection (Jersey) Law 2018. It highlights the key information individuals must be given when their personal data is collected or processed. By working through each section and ensuring the relevant points are addressed, you can produce a privacy notice that is clear, transparent, and compliant with your data protection obligations.

Your Privacy Notice must be in clear and straightforward (intelligible) language, which is appropriate for your audience. It does not have to be a written Notice (it could be audio and/or visual) but most organisations find it easier to do it in this way.

1. IDENTITY AND CONTACT DETAILS

- Name of the organisation (data controller)
- Trading names (if different)
- Contact details for general enquiries
- Data Protection Officer (DPO) contact details (if applicable)
- Confirmation of data controller status under the DPJL 2018

2. CATEGORIES OF PERSONAL DATA COLLECTED

- What personal data you collect directly from individuals
- What personal data you receive from third parties
- Any special category data involved
- Whether children's data is included and how it is protected

3. PURPOSES FOR PROCESSING

- Clear explanation of why the data is being processed
- Specific purposes rather than broad statements
- Any secondary or additional uses of the data

4. LEGAL BASIS UNDER THE DPJL 2018

- Identification of the lawful basis for each purpose
- If relying on consent, explanation of how consent is collected and how it can be withdrawn
- If relying on legitimate interests, explanation of what those interests are
- If processing special category data, reference to the relevant condition under the DPJL 2018



5. WHERE THE DATA COMES FROM

Whether data comes directly from the individual

Whether data comes from third parties (list categories, not necessarily names)

Whether data is created internally as part of your processes

6. WHO YOU SHARE PERSONAL DATA WITH

Categories of recipients (e.g., service providers, regulators, advisers)

Clear reference to any processors acting on behalf of the controller

How you ensure processors comply with DPJL requirements

Information on joint controllers (if applicable)

7. INTERNATIONAL TRANSFERS

Whether data is transferred outside Jersey

Location of recipients (categories, not necessarily specific names)

Safeguards used (adequacy, standard clauses, exemptions, etc.)

How individuals may request more details about safeguards

8. DATA RETENTION

Retention periods for each category of data

If exact timelines are not possible, explanation of the criteria used to decide retention

Reference to your retention schedule (if applicable)

9. INDIVIDUAL RIGHTS (UNDER DPJL 2018)

Right of access

Right to rectification

Right to erasure

Right to restriction of processing

Right to object

Right to data portability (where applicable)

Right not to be subject to automated decision-making (if used)

Explanation of how individuals can exercise these rights



10. COMPLAINTS

How individuals can raise a complaint internally first

Contact details for the Jersey Office of the Information Commissioner (JOIC)

Clear wording that individuals may complain directly to JOIC

11. AUTOMATED DECISION-MAKING & PROFILING

Whether your organisation uses automated decisions

Explanation of the logic involved

Description of consequences for the individual

Right to request human intervention

12. SECURITY MEASURES (HIGH-LEVEL)

Statement explaining that appropriate technical and organisational measures are in place

No need to list sensitive details, but reassurance of compliance

13. CHANGES TO THE PRIVACY NOTICE

How individuals will be notified of changes

Last updated date included

14. ACCESSIBILITY & FORMAT

Language is clear and plain

Privacy notice is easy to find

Provided in multiple formats if needed (web, printed, etc.)

Separate versions for different audiences if appropriate (e.g., staff, customers, children)