



**Hazard Management Cayman Islands**

**External Privacy Notice Template**

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# Document Administration

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## Revision Record

| Version | Date    | Revision Description    | Author            |
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| 1.0     | 13/6/23 | Initial document issued | Keith Beckley DPL |
|         |         |                         |                   |

## Version Control Notice:

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# **Privacy Notice**

## **1. Scope**

The Cayman Islands Government Hazard Management Cayman Islands (HMCI) respects your privacy and takes care in protecting your personal data. As a data controller, we comply with the Cayman Islands Data Protection Act (2021 Revision) (the “Cayman Islands DPA” or “DPA”). This privacy notice (“Privacy Notice”) demonstrates our commitment to ensuring your personal data is handled responsibly and applies to HMCI.

## **2. What Personal Data We Collect**

HMCI collects personal data, including sensitive personal data, directly from you and may also collect your personal data indirectly from third party sources. Personal data collected by HMCI is limited to what is necessary for our processing activities. In this Privacy Notice, personal data includes any data relating to an identified or identifiable living individual and includes: Contact details including home address, telephone numbers, and email address, together with date of birth or age and general location information.

### **Personal data we collect directly from you**

HMCI collects the following information directly from you:

- a. Personal data you provide through the HMCI website, such as:
  - i. Personal data provided within comments and questions, including your name and/or email address if you provide these details in our web form. If you ask questions about our public services and programmes or provide information about your relationship with us, this may also reveal other personal data, e.g. contact information, age or DOB
  - ii. Your email address and subscription preferences if you sign up for our National Emergency Notification system, newsletters or notifications, and how you utilise our emails, including whether you open them and which links you click; and
  - iii. Your Internet Protocol (“IP”) address, details of which device or version of web browser you used to access our website content, and other information about how you used our website (*see our Cookie Notice for more information – link not yet available*);
- b. Personal data you provide when you visit HMCI offices and other locations, contact us by email or telephone, or access our programmes and services, including our online services.
- c. Personal data that you provide when you inquire about or apply for a job with HMCI;
- d. Personal data collected via CCTV at HMCI premises, including images via cameras located at Hurricane Shelters (may be managed by another agency or entity) and images with audio via cameras in flood prone locations or drone footage obtained for the purposes of mitigation, planning and preparedness, response or recovery.
- e. Any information you choose to provide when interacting with HMCI on social media platforms, including Facebook, Twitter and Instagram.
- f. Personal data provided for entry into HMCI prize raffle draws.

### **Personal data collected from other sources**

HMCI collects the following personal data from other sources:

Personal data may be obtained from the Cayman Islands Red Cross for the purpose of recruiting, training and maintaining CERT team membership and qualification.

Personal data collated for shelter staffing, mass casualty staff or other training hosted or provided by HMCI.

### 3. How We Use Your Personal Data

The purpose of the Civil Service is to make the lives of those we serve better. We are dedicated to supporting the elected government by delivering caring, modern and customer-centred public services and programmes, which deliver value for money. HMCI may use your personal data for the following purposes:

- a. Implementing policies, providing services and programmes, and managing your relationship with us;
- b. Responding to your inquiries;
- c. Verifying your identity;
- d. Measuring how users interact with HMCI's website and continually improving our communications channels (including by aggregating personal data collected using cookies);
- e. Communicating and interacting with website visitors;
- f. Communications and public relations activities;
- g. Managing accounts payable and receivable, preventing fraud, and protecting public funds;
- h. Statistical and other reporting, both internally and externally;
- i. Seeking legal advice, and exercising or defending legal rights;
- j. Complying with our legal obligations, including all legislation that applies across the public sector;
- k. Communicating and interacting with job applicants and related third parties (e.g. references) and carrying out recruitment and selection processes; and
- l. Emergency Planning and Disaster Management.

### 4. How We Share Your Personal Data

HMCI may share your personal data as required, including under applicable legislation, with recipients that include joint data controllers, our data processors, and third parties. We will only share your personal data as permitted by the Cayman Islands Data Protection Act (DPA).

Your personal data may be shared with the following recipients that support our public functions and operations:

Cayman Islands Red Cross. Contact and location information will be shared between agencies for the purpose of recruiting, training and maintaining CERT team membership and qualification.

- a. **With other public authorities:** Personal data may be shared with other public authorities – here, “public authorities” means Ministries, Portfolios, Offices, Departments, Statutory Authorities, Statutory Bodies and Government Companies – for the purposes set out in this Privacy Notice. These agencies include emergency service providers and others agencies involved in a potential NEOC activation.
- b. **With data processors external to the CIG:** Personal data may be shared with persons providing services to HMCI as a data processor in compliance with the Cayman Islands DPA. These service providers are only able to use personal data under our instructions and may include:
  - i. [Webhosting];
  - ii. [Information Technology];
  - iii. [Records and Information Management, including storage facilities];
  - iv. [Communications];

- v. [Marketing and campaigns];
  - vi. [Events management]; and
  - vii. [Security operations and fraud prevention].
  - viii. [Emergency preparation, planning, mitigation and response].
- c. With legal advisors and other persons if required by law or in relation to legal proceedings or rights:**  
 Personal data may be disclosed as legally required, for the purpose of or in connection with proceedings under the law, if necessary to obtain legal advice, or if the disclosure is otherwise necessary to establish, exercise or defend legal rights. This may include disclosing your personal data for the following purposes:
- i. Seeking legal advice;
  - ii. Exercising or defending legal rights;
  - iii. Complying with internal and external audits or investigations by competent authorities;
  - iv. Complying with information security policies or requirements; and

## 5. Our Legal Bases for Processing Your Personal Data

Depending on applicable laws and other circumstances, HMCI will rely on specific legal bases, or “conditions of processing”, under the Cayman Islands DPA to process your personal data. These may include:

- a. A **legal obligation** to which HMCI is subject, e.g. The Disaster Preparedness and Hazard Management Act (2019 Amendment), the Emergency Powers Law (2006 Revision), and to comply with various obligations under the Procurement Act, 2016 and Procurement Regulations (2022 Revision), the Public Management and Finance Act (2020 Revision) and Financial Regulations (2022 Revision), the Public Service Management Act (2018 Revision) and Personnel Regulations (2022 Revision), and the National Archive and Public Records Act (2015 Revision);
- b. To exercise **public functions**, including the functions of HMCI to act as the coordinating agency of the National Emergency Operations Centre (NEOC), as well as being members of the National Hazard Management Executive (NHME), Council and Policy Group. Preparedness and Planning are key to ensure an effective outcome both from an individual perspective and as a community;
- c. To perform or enter into a **contract** with you, e.g. Community Emergency Response Teams (CERT Members);
- d. To protect your **vital interests**, e.g. Providing emergency notifications;
- e. **Consent**, e.g. to send you marketing communications or to administer surveys and polls; and
- f. For the purposes of **legitimate interests** pursued by HMCI or by a third party or parties to whom the personal data may be disclosed, e.g. when disclosing records containing third party personal data in response to a request submitted under the Freedom of Information Act (2021 Revision).

Where we process your sensitive personal data, we will also meet a second legal basis. These may include:

- a. To exercise our **public functions**;
- b. In relation to **legal proceedings**, including obtaining legal advice and otherwise establishing, exercising or defending legal rights.

## **6. Children’s Personal Data**

HMCI collects personal data relating to children under the age of 18 to enable us to deliver public services and programmes and carry out our functions. We may collect children’s personal data for any of the purposes set out in section 3 of this Privacy Notice. Unless explicitly stated or implied otherwise, our website and our various public services and programmes are not intended for, or intentionally targeted at, children. We do not knowingly collect or maintain personal data about children under the age of 18. Photographs/videography of children is only recorded and/or published with parental consent, usually obtained by the establishment in which those recordings are made and then only used for promotional purposes. Where an event is taking place within a school or other youth-based environment, that establishment must first confirm that parental permission has been granted for the photography or videography of the included children prior to HMCI recording the event, and that such permission will be retained by the establishment.

## **7. Security and International Transfers**

HMCI has put in place appropriate technical, physical and organisational measures in order to keep your personal data secure. These safeguards to maintain the confidentiality, integrity and availability of your personal data may include retaining data on Cayman Islands Governments own servers or on servers with the UK or EU, where the data will be secured in line with GDPR regulations.

HMCI will not transfer personal data to countries or territories that do not ensure an adequate level of protection for personal data. We may transfer your personal data outside of the Cayman Islands to:

- a. United Kingdom
- b. Republic of Ireland
- c. Other European member states

We will only transfer your personal data to a country or territory that ensures an adequate level of protection for your rights and freedoms in relation to the processing of your personal data, unless there is a relevant exemption or exception under the Cayman Islands DPA. Exceptions may include your consent or appropriate safeguards.

## **8. How Long We Keep Your Personal Data**

HMCI may store your personal data for as long as we need it in order to fulfil the purpose(s) for which we collected your personal data, and in line with any applicable laws. This includes the National Archive and Public Records Act (2015 Revision), which governs the creation, maintenance and disposal of all public records. Sometimes, we may anonymise your personal data so that it is no longer associated with you.

## **9. Cookies**

Cookies, in combination with pixels, local storage objects, and similar devices (collectively, "Cookies" unless otherwise noted), are used to distinguish between visitors to a website.

When you visit [caymanprepared.gov.ky/our](http://caymanprepared.gov.ky/our) website, small files known as Cookies may be stored on your computer, phone, tablet or any other device through your web browser. Information is stored in these text files.

Enabling Cookies may allow for a more tailored browsing experience and is required for certain website functionality. In the majority of cases, a Cookie does not provide us with any of your personal data.

Please see the website’s Cookie Notice for more information about the use of Cookies.

We use data collected to measure how users interact with the website so we can continuously make it user-friendly and optimise the web experience. This information is aggregated and we do not use it to link information to individual users. We also use data collected to improve upon our communications and services.

Aggregated data captured through cookies includes:

**Preferences cookies:** such as language settings

**Performance cookies:** this includes number of website visits, searches on the site, pages visited, links clicked and session length, IP addresses, browser and device information, and demographic data such as estimated age and gender. Akamai uses a cookie to optimise the response time between a visitor and the website.

**Marketing/Advertising cookies:** Google uses cookies to help us customise ads on Google based on Google Searches. For example, we use such cookies to remember users' previous interactions with ads and subsequent visits to our site. This helps us to show users customised ads on Google. We also use one or more cookies for advertising we serve across the web to allow us to serve users ads on other Google properties, like YouTube. Conversion cookies are not used by Google for personalised ad targeting and persist for a limited time only. Some of our other cookies may be used to measure conversion events as well. For example, Google Marketing Platform, Facebook Pixel, and Google Analytics cookies may also be used for this purpose. We also use cookies to link user activity across devices if they have previously visited the site on another device. We do this to coordinate the ads users see across devices and measure conversion events.

## 10. Your Rights

HMCI will respect and honour your rights in relation to your personal data and implement measures that allow you to exercise your rights under the DPA and other applicable legislation.

In accordance with the DPA, your rights in relation to your own personal data include:

- a. **The right to be informed and the right of access:** The right to request access to all personal data HMCI maintains about you as well as supplementary information about why and how we are processing your personal data. This is commonly known as a Subject Access Request and certain supplementary information about our processing is contained within this Privacy Notice.
- b. **Rights in relation to inaccurate data:** The right to request the rectification, blocking, erasure or destruction of any inaccurate personal data HMCI maintains on you. We will ensure, through all reasonable measures, that your personal data is accurate, complete and, where necessary, up-to-date, especially if it is to be used in a decision-making process.
- c. **The right to stop or restrict Processing:** The right to restrict or stop how HMCI uses your personal data in certain circumstances.
- d. **The right to stop direct marketing:** The right to cease the use of your personal data by HMCI for direct marketing purposes. HMCI does not currently carry out any direct marketing activities. However, we will update this Privacy Notice and we will also notify you in writing as required if this position changes.
- a. **Rights in relation to automated decision making:** The right to obtain information about and object to the use of automated decision making by HMCI using your personal data. HMCI does not currently use automated means to make decisions about you. However, we will update this Privacy Notice and we will also notify you in writing as required if this position changes.
- e. **The right to complain:** The right to complain to the Ombudsman about any perceived violation of the DPA by HMCI.
- f. **The right to seek compensation:** The right to seek compensation in the Court if you suffer damage due to a contravention of the DPA by HMCI.

You may contact HMCI, using the contact details listed below, to access and review your personal data or to

exercise any other rights provided to you under the DPA. HMCI will take into consideration circumstances where, under the DPA or other applicable legislation, your rights may be limited or subject to conditions, exemptions or exceptions.

Upon contacting HMCI, we may need to verify your identity prior to fulfilling a request and may request additional information as required. In accordance with the DPA, HMCI may also charge a reasonable fee in relation to your request if it is unfounded or excessive in nature, or HMCI may reserve the right not to comply with the request at all.

To learn more about your rights, visit [www.ombudsman.ky](http://www.ombudsman.ky).

## 11. Data Protection Principles

When processing your personal data, HMCI will comply with the eight Data Protection Principles defined within the Cayman Islands DPA:

- a. **Fair and lawful processing:** Personal data shall be processed fairly. In addition, personal data may be processed only if certain conditions are met, for example the data controller is subject to a legal obligation that requires the processing or the processing is necessary for exercise of public functions.
- b. **Purpose limitation:** Personal data shall be obtained only for one or more specified, explicit and legitimate purposes, and not processed further in any manner incompatible with that purpose or those purposes.
- c. **Data minimisation:** Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are collected or processed.
- d. **Data accuracy:** Personal data shall be accurate and, where necessary, kept up-to-date.
- e. **Storage limitation:** Personal data processed for any purpose shall not be kept for longer than is necessary for that purpose.
- f. **Respect for the individual's rights:** Personal data shall be processed in accordance with the rights of data subjects under the DPA, including subject access.
- g. **Security – confidentiality, integrity and availability:** Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- h. **International transfers:** Personal data shall not be transferred to a country or territory unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

## 12. How to Contact Us

HMCI has appointed a Data Protection Leader. If you have any questions about this Privacy Notice or how your personal data is handled, or if you wish to make a complaint, please contact:

Name: Keith Beckley, Data Protection Leader, Business Continuity Officer

Telephone number: +1 345 244 1339

Email Address: keith.beckley2@gov.ky

Address: Government Administration Building, Box 118  
133 Elgin Avenue, George Town, Grand Cayman, KY1-9000, CAYMAN ISLANDS

HMCI aims to resolve inquiries and complaints in a respectful and timely manner.

**13. Changes to this Privacy Notice** HMCI reserves the right to update this Privacy Notice at any time and will publish a new Privacy Notice when we make any substantial updates. From time to time, HMCI may also notify you about the processing of your personal data in other ways, including by email or through our publications.

*This Privacy Notice was last updated on 13 June 2023*