

# Privacy Notice

## PRIVACY

The Data Protection Act, 2020 allows for personal data to be collected in keeping with the requisite protections afforded to persons under the Act whilst ensuring that their privacy rights are also protected.

The Ministry's Privacy Notice provides information about the policy, how we collect, store, process, share and use personal data when someone accesses our website (<https://mns.gov.jm>), Social media pages (Facebook, Instagram, and YouTube which can be accessed using <https://linktr.ee/mnsgovjm>), software, and services, joins the Ministry's team or participates in a recruitment and selection or procurement process.

Privacy of personal data is important, as such personal data that is collected when entered on an Employment Application form, via a curriculum vitae shared in response to a career opportunity or in furtherance of a procurement process or from an Access to Information request, we commit that the personal information will only be used for the purpose that it was originally intended.

We only collect and use personal data for legal, legitimate, and necessary purposes. Specifically, we collect and process personal data to provide services and functions offered by the Ministry. If you use another individual's personal data to access services and functions offered by the Ministry, please ensure that you have been authorized to do so, as the Ministry reserves the right to verify if such personal data was legally used at any time.

The Ministry, as a part of its verification process, may request that separate consent be given in specific circumstances, and in strict accordance with the Laws and Regulations. In addition to this Privacy Policy, the Ministry may use any of its communication channels: website, email advisory, pop-up prompts, push notification, etc. for purposes of clarification or explanation in relation to any rule(s) or guideline(s) related to the service sought.

It is important to note that the Ministry may not require authorisation or consent to begin the collection, use, sharing, transfer, or disclosure of an individual's personal data when such information is directly related to national security and national defence security or necessary for the conclusion and performance of a contract and/or necessary for the performance of statutory duties obligations.

Authorisation may not be required when personal data collected is directly related to an investigation, prosecution, trial, or execution of sentence of a crime; necessary to safeguard the life, property, and other major legitimate rights and interests of the specific individual or other individuals; under the condition that consent is difficult to obtain. The Ministry is mindful that personal data may be disclosed to the public or by other legal means (the information is collected in accordance with the Laws and Regulations); legally disclose through channels such as legitimate news, government notice (the information is collected in accordance with Laws and Regulations to a reasonable extent); in the public interest (the information is collected to a reasonable extent); or descriptions is de-identified before it is revealed to the public); otherwise required by applicable Laws and Regulations.

When sharing, transferring, or disclosing any personal data in the circumstances as described above, the Ministry will log the basis for processing the relevant information, the scope of the information being processed, the information on the recipient, and as enumerated below, this will be done based on the principles of minimisation and the necessity to protect the legitimate rights and interests of the data subject:

- (1) Names and contact details of the Data Controller and Chief Privacy Officer;
- (2) Purpose of data processing;
- (3) Descriptions of the data subject type and the personal data type;
- (4) The type of recipient to whom the personal data has been or will be disclosed (including a recipient in a third country or international organization);
- (5) Records of transfer of personal data to a third country or international organization and records of appropriate safeguards;
- (6) Expected time to delete different and all types of personal data;
- (7) General description of technical and organizational security measures.

## **HOW WE PROTECT YOUR PRIVACY**

As an applicant for employment, or as a candidate participating in any of the Ministry's summer or GoJ programmes (H.E.A.R.T./L.I.F.T./H.O.P.E/Liv Gud Community engagement); as a purveyor of goods and services; an ATI requestor or as employee; or any personal data collected during a State of Public Emergency (S.O.P.E.), the Ministry agrees to collect, use and appropriately disclose all personal data collected in accordance with the contract/Service Agreement/Memorandum of Understanding, personal data will only be used for the specific purpose intended and the time as specified for the use.

All personal data or any information that can be used to identify the individual will be stored in a workplace that is only accessible to the relevant accountable officers with the requisite access level: if there is any circumstance that may require access to the personal data for a specified need, the Ministry commits that in accessing that personal data this will only be done in furtherance of the intended purpose.

## **OUR PRIVACY PROMISE TO YOU**

We will:

1. Secure and protect personal data;
2. Not disclose personal data outside the Ministry without your consent unless in furtherance of the conditions listed under the Section titled 'Privacy', paragraph 7;
3. Advise individuals how the personal data is managed, stored, shared and for the specific period.
4. Collect and/or request additional or up-to-date personal data to ensure that the reliability and accuracy of the personal information is updated as is required by the Laws and Regulations.

## **WHO IS THE MINISTRY OF NATIONAL SECURITY?**

The Ministry of National Security is a government organisation that is responsible for the establishment of policies that is in alignment with Goal #2 of the Jamaica VISION 2030, Jamaica is cohesive and just.

The Ministry is subject to the varying requirements of the Data Protection Act, 2020 and it is the intention to be compliant and consistent with all tenets and precepts of the said Act.

## **WHAT INFORMATION DO WE COLLECT?**

The Ministry gathers various types of information that may identify an individual as (“personal data”) and same is collected under the following circumstances:

- When you respond to a career opportunity;
- When your employment is finalised and the requisite files are processed in keeping with the Laws and Regulations;
- When you apply for licences or exemptions to licences;
- When you participate in online forums/meetings, including recorded calls and notes/transcripts;
- When you send emails and/or letters;
- When you submit personal/business documents;
- When your personal data is shared as part of a S.O.P.E. operation.
- When you request information under the Access to Information Act, 2022.

## HOW DO WE USE YOUR PERSONAL INFORMATION

The Ministry may use the personal data collected from individuals in connection with the services, procurement processes, ATI requests or career/employment opportunities provided for several reasons, including to:

- Provide, operate and maintain an employment candidacy data bank;
- Provide, operate and manage information in furtherance of a procurement process;
- Provide and manage information in furtherance of an evaluation exercise as conducted in a procurement or recruitment and selection processes;
- Process and complete transactions, in relation to issuance of purchase orders or finalisation of invoices;
- Respond to enquiries and comments, as raised on social media, email or on the website;
- Dispatch technical alerts, updates, security notifications, and administrative communications to team members and external business stakeholders;
- Verify the identity of customers;
- Conduct reference checks or request reference reports from external organisations in respect to an individual or company.

## WHAT LAWFUL BASIS DO WE HAVE FOR PROCESSING YOUR PERSONAL DATA

In accordance with the Data Protection Act, 2020, our internal procedures for processing (collecting, storing, and securing) your personal data are governed by controls, which ensure the protection and security of any and all personal data. The Data Protection Act, 2020 allows us to use personal data for lawful and/or legitimate purposes. The following are the lawful basis upon which we process data:

- Processing is necessary for fulfilment and performance of a contract to which the individual is a party.
- *Processing is necessary for compliance with a legal obligation or duty.* When you apply for a career opportunity or respond to a procurement, or request information under the Access to Information Act, we are required by law to collect and process certain personal information about you. Please note that if you do not agree to provide us with the requested information, it may not be possible for us to continue to conclude the process for which you initially participated.
- *Processing is necessary for the purposes of our legitimate interests or that of a third party, except where such interests are overridden by the individual's interests or fundamental rights and freedoms.* The Ministry's use of personal data may also be based on our legitimate interest to ensure network and information security, if any of our systems are utilised by the individual; we will provide individuals with the most appropriate information in respect to policy(s) or policy initiatives (direct marketing); and make available reports (risk, financial, accounting, etc.) to internal management and supervisory bodies.

## **WHEN DO WE SHARE PERSONAL DATA**

The Ministry does not rent or sell personal data. The Ministry may share personal data, with relevant and authorised third parties, and as permitted by law, including, but not limited to the following parties:

1. People who provide a service to the Ministry or act as referee or on the understanding that they will keep your information strictly confidential and, otherwise, process it in accordance with data protection rules.
2. Relevant authorities, to whom transfer of personal data is or will impact all or any part of the Ministry's assets;
3. Employment reference(s).
4. The Ministry may also provide information about an individual, if there is a duty to do so to comply with any legal obligation, or to enforce or apply any terms of use, or as prescribed by a law.
5. In the event that the Ministry receives personal data and subsequently transfers that personal data (in part or as a whole) to a third party agent or service provider for processing, the Ministry remains committed to ensuring that such third-party agent or service providers process the personal data supplied to the standard required to be in compliance with the Data Protection Act and/or other applicable privacy laws.

## **HOW LONG DO WE KEEP YOUR PERSONAL DATA FOR**

Retention periods for records are determined based on the type of record, the nature of the activity or service and are done in compliance with the Legal or Regulatory Requirements. The Ministry normally keeps non-active records for up to seven years and thereafter it is archived; after a period of forty (40) years the information is securely destroyed.

Any images or identifiable personal data that may be or has been collected by CCTV at various locations will be kept until the storage is full, at which point they will then be downloaded, processed, and archived. In addition, the Ministry utilises cameras that take constant images with some that are activated by motion, resultantly, retention policies may vary based on locations..

Job applicant's data is kept only for the duration of the application process, if the applicant is unsuccessful, the personal data is retained and archived for a period not exceeding three years, thereafter it is destroyed.

Personal data may be retained for longer periods if the deletion, may be deleterious to any legal and/or regulatory process or technical purpose or for any other reason as may be necessary to comply with our legal obligations, resolve disputes, for pension related matters and/or to enforce Agreements.

## HOW CAN I EXERCISE MY DATA SUBJECT RIGHTS?

If an individual would like to access, review, update and or amend any personal data the Ministry holds in reference to any personal data collected, contact can be had as stated under the “How to Contact Us” section of this Privacy Notice. We commit to examining the request and provide a response in accordance with the relevant law.

Please note that we may still use any aggregated and de-identified personal data that does not identify a specific individual. The Ministry may also retain and use any or all personal data as necessary to comply with prescribed legal obligations, resolve disputes, and enforce our agreements/contracts/MOUs.

## HOW TO CONTACT US

We commit to examining the request and will provide a response in accordance with the relevant law. If an individual has any questions or require more details about how we use personal data, please see below:

- Contact the Chief Privacy Officer, at 876- (876) 906-4908
- Write to the permanent Secretary of the Ministry of National Security, North Tower 2 Oxford Road Kingston 5. Jamaica, for the attention of the Chief Privacy Officer
- Email: [dataprotection@mns.gov.jm](mailto:dataprotection@mns.gov.jm)

The Ministry values feedback and would want to hear from our valued internal or external clients if there is dis-ease with how perceived or actual use of personal data. In that regard, individuals are encouraged to contact the Ministry in person or in writing lodge a formal complaint or deposit the complaint via the online complaint form on the website at: <http://www.mns.gov.jm>.

**Important Note:** This Privacy Policy may be modified from time to time depending on prevailing circumstances. The Ministry will publish the latest version on its website with appropriate notification to the social media or email platforms if a revision is made. A personal advisory may be submitted if any such revision materially affects an individual’s personal data rights.