NATIONAL ASSISTANCE SYSTEM
FOR VICTIMS OF HUMAN TRAFFICKING

PRIVACY STATEMENT

Articles 13 and 14 of the General Data Protection Regulation

Processing of Personal Data in Relation to the Identification of and the Provision of Assistance to a Victim of Human Trafficking

Controllers

Finnish Immigration Service
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National Assistance System for Victims of Human Trafficking
National Assistance System for Victims of Human Trafficking (NAS)
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Contact Point of the Data Subject

National Assistance System for Victims of Human Trafficking (NAS)
Joutseno Reception Centre
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Telephone:+358 (0)295 463 177

Data Protection Officer of the Controller

Data Protection Officer of the Finnish Immigration Service
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An updated privacy statement is available at ihmiskauppa.fi

Purpose and Legal Basis of Processing of Personal Data

The purpose of the processing of personal data are to

- organise assistance for a client of the National Assistance System for Victims of Human Trafficking (NAS) who does not have a municipality of residence in Finland, as defined in the Municipality of Residence Act;
- provide advice and guidance to NAS clients;
- decide whether to admit a person to the NAS and identify them as a victim of human trafficking;
- decide whether to remove a person from the NAS; and
- grant, extend or discontinue the reflection period for a victim of human trafficking.
- cooperate with the wellbeing services county, the City of Helsinki or the HUS Group to assist a person who is a client of the NAS and has a municipality of residence in Finland, as defined in the Municipality of Residence Act;
- cooperate with the reception centre to assist a person who is a client of the NAS and is seeking international protection or receiving temporary protection;
- cooperate with the police to protect a client of the NAS who is subject to a security threat; and
- manage, plan, monitor and supervise the practical operations of the NAS carried out by the Finnish Immigration Service.

Personal Data are also processed

- When arranging a possible voluntary return. During the return process, your personal data will be processed by the NAS, the reception centre, the police, the Finnish Border Guard and the organisation responsible for the practical arrangements.
- If the controller observes or is notified of any remarks that, given the circumstances or a person's behaviour, can reasonably be thought to fall within the controller's competence to oversee the occupational safety of those in his or her employ or general order and safety. The personal data recorded includes the client numbers (the client number in the Immigration Case Management System) of the clients involved in a danger, disturbance or threat situation, on the basis of which the person can be identified, and a description of the danger, disturbance or threat situation.

The processing of personal data is based on compliance with legal obligation of the controller under Article 6 (1) (c) of the General Data Protection Regulation.

A legal obligation of the controller is based on the following Acts:

- Act on the Processing of Personal Data in the Field of Immigration Administration (615/2020)
- Act on the Reception of Persons Applying for International Protection and on the Identification of and Assistance to Victims of Trafficking in Human Beings (746/2011)

Categories of Personal Data

The categories of personal data processed are:

- Name, gender, age, date of birth, place of birth and country of birth as well as nationality used,
- Client number, case numbers, personal identity code,
- First language and languages of interpretation,
- Facial image in the event that it is linked with another case processed in the case management system,
- Information about marital status and family relations;
- Information relating to proposing the inclusion of the person in the NAS,

- Decision and assistance measures of the NAS,
- Registration information and contact information of the data subject,
- Information related to the right of residence,
- Social and health care information essential for the decision-making processes of the NAS and the organisation of help,
- Information that concerns criminal procedure and is essential for the decision-making processes of the NAS and the provision of advice and guidance,
- Decisions related to the reception allowance and payment details for the duration of being a client of the Assistance system for victims of human trafficking,
- Client records and plans made for organising help, situational reports, assessments of the need for services, decisions, notes, statements, service purchasing agreements, financial obligations and information on becoming a municipal resident,
- Information relating to external counsel or representative, consent, appointments and other customer service entries,
- Information relating to a decision on assisted voluntary return, practical arrangements related to the return and arrangements of a safe return,
- Information related to the implementation of potential denial of admittance or stay or deportation,
- In connection with reporting on danger, disturbance of threat situations at a reception centre or during reception operations if registering personal data is necessary for the investigation of the matter.

Other categories of personal data of an asylum seeker processed:

- Information relating to language skills, education, occupational skills, and work experience
- Documents and information relating to the asylum application process
- Essential information relating to reception services or the discontinuation of services

Sources of Information

The personal data is received from the data subject themselves as well as the following sources:

- Entries made by other authorities in the immigration case management system on the condition that the requirements for receiving the data are met
- The client themselves and the statement and additional information provided on the client for the purpose of accessing the NAS
- Public, private or third sector actors in connection with the statutory duties of the NAS or with organising the provision of assistance
- Reception centres
- Detention units
- The wellbeing services county, the City of Helsinki or the HUS Group
- Representative or guardian assigned for a child without a legal guardian
- Police and the Finnish Border Guard
- Finnish Immigration Service
- Prosecutor’s Office
- Justice system
- The Finnish Population Information System of the Digital and Population Data Services Agency
- From IOM in connection with voluntary return

Recipients of Personal Data

Personal data is transferred either with the data subject's consent or on the basis of legislation in force on the condition that the requirements for receiving the data are met.

The recipients of personal data are:

- Reception centre, detention unit, group home or supporting housing unit for asylum seekers
- Finnish Immigration Service
    - Reception Services Department, Department for International Protection, Permit and Citizenship Department and Legal and Specialist Services Unit
- Police service
    - Police departments and service points in Finland
- Finnish Border Guard
    - Finnish Border Guard service points in Finland
- The wellbeing services counties, the City of Helsinki and the HUS Group
- Municipalities
- Prosecutor's Office and the justice system
- The Social Insurance Institution of Finland (KELA)
    - KELA service points in Finland
- Economic Development Centres
- IOM (International Organization for Migration)
    - Persons carrying out duties related to organising voluntary return
- Service providers with which the Finnish Immigration System has an agreement on the provision of help for victims of human trafficking
- Persons assigned as representatives of a child without a legal guardian
- Representative registered in the Immigration Case Management System within the remit required for the performance of their duties
- Counsel or representative on written authorisation by the client
- Counsel or representative on authorisation by the client within the remit required for the performance of their duties
- Specifying individual recipients of the personal data is not possible owing to the extent of the public administration field.

Transfer of Personal Data Outside the EU/EEA

The personal data of the data subject will not be transferred outside the EU/EEA except in a situation where the data subject is applying for assisted voluntary return, in which case the necessary personal data of the data subject may be transferred to a service provider in the home country for the purpose of paying the assistance for voluntary return or if the data subject consents to the transfer of their personal data for the purpose of organising a safe return.

Retention Period of Personal Data

The personal data of the data subject will be erased when the personal data are no longer necessary in relation to the purposes for which they are collected and no later than five years after the last entry concerning the data subject. The erased data will be archived in its entirety for permanent storage in electronic format only, as provided in the decision of the National Archives Service.

Right of Access to Personal Data

The data subject has the right upon request to receive stored and processed personal data concerning him or her or a confirmation that personal data concerning him or her is not being processed.

The information request is sent in person to the controller as follows:

- by sending the information request by mail to the postal address of the NAS
- or by sending the information request by e-mail to ihmiskauppa.auttamisjarjestelma@migri.fi
- or by conducting business with a staff member of the NAS in person

The right of access may be denied under exceptional circumstances only. If the controller refuses to provide access to the data, a written certificate to this effect shall be issued. The certificate shall also mention the reasons for the refusal. A failure by the controller to give a written response to the data subject within three months of the request is deemed equivalent to a refusal to provide access to the data. In this event, the data subject may bring the matter to the attention of the Data Protection Ombudsman.

The controller may charge a reasonable fee for the provision of access to the data if less than one year has passed since the previous instance of exercising the right of access.

Right to Rectify or Supplement Personal Data

The data subject has the right to request the controller to rectify, erase or supplement personal data contained in the register if it is erroneous, unnecessary, incomplete or obsolete as regards the purpose of the processing. In this event, the data subject will be asked to specify what information is incorrect and how and why it should be changed, or to specify what information should be added and in what way.

The request to rectify, erase or supplement personal data is sent in person to the controller as follows:

- by sending the information request by mail to the postal address of the NAS
- or by sending the information request by e-mail to ihmiskauppa.auttamisjarjestelma@migri.fi
- or by conducting business with a staff member of the NAS in person

Report on the Processing of Personal Data and the Right to File a Complaint with a Supervisory Authority

If you wish to report a problem concerning the processing of your personal data, please first contact the representative/data protection officer (contact details above) of the controller.

Data subjects have the right to complain about the processing of their personal data to the supervisory authority. In Finland, the Data Protection Ombudsman functions as the supervisory authority. The website of the Office of the Data Protection Ombudsman is at www.tietosuoja.fi.