

# Brynmawr Historical Society

## Cymdeithas Hanes Brynmawr.

### DATA PROTECTION POLICY 2018

#### 1. Introduction

The Brynmawr Historical Society (BHS) needs to collect and use certain types of information about its members in order to carry on its work. This personal information must be collected and dealt with appropriately whether it is collected on paper, stored in a computer database, or recorded on other material and there are safeguards to ensure this under the Data Protection Act 1998, and as amended by future legislation and regulations..

#### 2. Data Controller

The BHS committee is the Data Controller under the Act, which means that it determines for what purposes personal information held will be used. It is also responsible for notifying, if necessary, the Information Commissioner of the data it holds or is likely to hold, and the general purposes for which this data will be used.

#### 3. Disclosure

BHS does not normally share data with other agencies. The Individual/Member will be made aware in most circumstances how and with whom their information will be shared. There are circumstances where the law allows BHS to disclose data (including sensitive data) without the data subject's consent.

These are:

- a) Carrying out a legal duty or as authorised by the Secretary of State
  - b) Protecting the vital interests of an individual/member where the individual/member has already made the information public
  - d) Conducting any legal proceedings, obtaining legal advice or defending any legal rights
  - e) Monitoring for equal opportunities purposes – i.e. race, disability or religion
- BHS regards the lawful and correct treatment of personal information as very important.

To ensure that personal information is treated lawfully and correctly, the BHS will adhere to the Principles of Data Protection, as detailed in the Data Protection Act 1998, and as amended in the future.

Specifically, the Principles require that personal information shall be:

- a) processed fairly and lawfully and shall not be processed unless specific conditions are met,
- b) obtained only for the purposes specified in the Act, and shall not be processed in any manner incompatible with that purpose or those purposes,
- c) adequate, relevant and not excessive in relation to those purpose(s)
- d) accurate and, where necessary, kept up to date,
- e) not kept for longer than is necessary
- f) processed in accordance with the rights of data subjects under the Act,
- g) kept secure by those handling data who take appropriate technical and other measures to prevent unauthorised or unlawful processing or accidental loss or destruction of, or damage to, personal information,
- h) not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of Individuals/Service Users in relation to the processing of personal information.

The BHS will, through appropriate management and strict application of criteria and controls:

- Observe fully conditions regarding the fair collection and use of information

- Meet its legal obligations to specify the purposes for which information is used
- Collect and process appropriate information, and only to the extent that it is needed to fulfil its operational needs or to comply with any legal requirements
- Ensure the quality of information used
- Ensure that the rights of people about whom information is held, can be fully exercised under the Act. These include:
  - The right to be informed that processing is being undertaken,
  - The right of access to one's personal information
  - The right to prevent processing in certain circumstances and
  - The right to correct, rectify, block or erase information which is regarded as wrong information
- Take appropriate technical and organisational security measures to safeguard personal information
- Treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation or ethnicity when dealing with requests for information
- When a request by an individual is made, about what data is held about that individual, the data holder will provide relevant information.

#### **4. Data collection**

Informed consent is when

- An individual clearly understands why their information is needed, who it will be shared with, the possible consequences of them agreeing or refusing the proposed use of the data
- And then gives their consent.

The BHS will ensure that data is collected within the boundaries defined in this policy. This applies to data that is collected in person, or by completing a form.

When collecting data, the BHS will ensure that the individual/member:

- Clearly understands why the information is needed
- Understands what it will be used for and what the consequences are should the individual/member decide not to give consent to processing
- As far as reasonably possible, grants explicit consent, either written or verbal for data to be processed
- Is, as far as reasonably practicable to establish, competent enough to give consent and has given so freely without any duress
- Has received sufficient information on why their data is needed and how it will be used

#### **5. Data Storage**

Information and records relating to members will be stored securely and will only be accessible to authorised persons.

Information will be stored for only as long as it is needed or required by statute and will be disposed of appropriately.

It is responsibility of the data holders to ensure all personal and company data is non-recoverable from any computer system previously used within the organisation, which has been passed on/sold to a third party.

#### **6. Data access and accuracy**

All individuals/members have the right to access the information the BHS holds about them. The BHS will also take reasonable steps ensure that this information is kept up to date by asking data subjects whether there have been any changes.

In addition, the BHS will ensure that:

- Everyone processing personal information understands that they are responsible for following good data protection practice

- Everyone processing personal information is appropriately trained to do so
- Anybody wanting to make enquiries about handling personal information knows what to do
- It deals promptly and courteously with any enquiries about handling personal information
- It describes clearly how it handles personal information
- It will review and audit the ways it holds, manages and uses personal information as required

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to the Data Protection Act 1998.