

Data Protection Policy

The Data Protection Act 1998 came into force on 1 March 1998 and covers personal information held on manual paper records and electronic systems.

1. Statement of Intent

Amgueddfa Cymru – National Museum Wales is committed to ensuring that personal information it manages conforms to the Data Protection Act 1998 and will take all reasonable steps to ensure that personal information is kept secure against unauthorised access, loss, disclosure or destruction.

Amgueddfa Cymru needs to keep certain information about employees, committee members and other users of the Museum's facilities to allow it to monitor performance, achievements, operational issues, management of the collections it holds and for health and safety purposes. We recognise that the lawful and correct treatment of personal data is very important to successful operations and to maintaining confidence between ourselves, the National Assembly, our partners and our visitors. Any personal data we collect, record or use in any way whether it is held on paper, on computer or other media will have appropriate safeguards applied to it to ensure that we comply with the Data Protection Act 1998. We fully endorse and adhere to the eight principles of Data Protection as set out in the Data Protection Act 1998. These principles state that personal data must be:

1. Fairly and lawfully processed.
2. Processed for limited purposes and not in any other way that would be incompatible with those purposes.
3. Adequate, relevant and not excessive.
4. Accurate and kept up to date.
5. Not kept for longer than is necessary.
6. Processed in line with the data subject's rights.
7. Kept secure.
8. Not transferred to a country that does not have adequate data protection laws.

Amgueddfa Cymru staff who process or use any personal information will ensure that they follow these principles at all times.

It is the aim of Amgueddfa Cymru that all appropriate staff are properly trained, informed of their responsibilities under the Data Protection Act 1998 and aware of their personal liabilities.

Any employee deliberately acting outside the recognised authority will be subject to the Museum's disciplinary procedures.

2. Definitions

Data controller – a person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal data are, or will be processed.

Data Subject – an individual about whom personal data is held.

Personal Data – information from which a living person can be identified.

Sensitive Information – data relating to a person's:

- racial or ethnic origin
- political opinions
- religious or other beliefs of a similar nature
- trade union memberships
- physical or mental health or condition
- offences (including alleged offences)
- criminal proceedings, outcomes and sentences.

Where we collect any sensitive data, we will take appropriate steps to ensure that we have explicit consent to hold, use and retain the information.

3. Specific measures to address the Data Protection principles

- 3.1 *Fair gathering and processing* – Amgueddfa Cymru will, as far as practicable, ensure that individuals whose personal information we hold are aware of the way in which that information is held, used and disclosed. When we are recording personal information, we will ensure that a Data Protection statement will be included on the form.
- 3.2 *Data uses and processing* – Amgueddfa Cymru will not use or process personal information in any way that contravenes the stated purpose. Any new purposes introduced will, where appropriate, be explained to individuals and, if required by law, their consent will be sought.
- 3.3 *Data quality* – Amgueddfa Cymru will only collect information required, and will not collect information that is excessive or irrelevant in relation to the stated purposes.
- 3.4 *Retaining information* – Amgueddfa Cymru will only hold information for as long as it is necessary for the stated purpose, after which the details will be deleted or destroyed. Amgueddfa Cymru will need to retain some information for long-term historical reasons; this will be done within the requirements of the legislation.
- 3.5 *Security of the information* – Amgueddfa Cymru will ensure that personal information is managed securely. Access and use of this information will be limited to authorised staff.
- 3.6 *Subject access requests* – Any individual whose information is held by Amgueddfa Cymru will have a general right to receive a copy of their own information. Amgueddfa Cymru reserves the right to charge the flat rate of £10 for such a request. Amgueddfa Cymru will respond to such a request within the 40 days allowed by the Data Protection Act 1998.
- 3.7 *Further assistance and complaints* – Anyone requiring further assistance or who would like to lodge a complaint on Amgueddfa Cymru's handling of a Data

Protection request should contact the Director of Communications, Robin Gwyn, who is the Museum's Data Protection Officer.

The Data Protection Officer is responsible for handling all internal and external enquiries. Where possible, requests for personal information should be in writing using the Museum's **Subject Access Request** form.

All complaints should be in writing, providing name, date and details of the complaint as well as a detailed account of the nature of the problem.

The Data Protection Officer will review all complaints as quickly as possible and respond to the person in writing.

4. Staff Guidelines for Data Protection

4.1 Amgueddfa Cymru staff are responsible for:

- Checking that any information they provide in connection with their employment is accurate and up to date.
- Ensuring that the individuals are informed of the purpose at the point of gathering.
- Reporting all Data Subject requests to the Director of Communications.
- Ensuring that staff responsible for managing personal information observe the eight principles of the Act.
- Ensuring that any personal information they hold is kept securely and, where required, adequate backup systems are in place.
- Ensuring that reasonable measures are in place to prevent any unauthorised access.
- Ensuring that personal information is not disclosed either orally or in writing or accidentally or otherwise to any unauthorised third party.
- Reporting any changes to their personal details to the relevant department.
- Ensuring that individuals have given their explicit consent to any sensitive personal information being obtained.
- Informing the Director of Communications of any new personal data systems being planned or implemented.
- Informing the Director of Communications of any complaints received.
- Ensuring that annual renewal forms are sent to individuals asking them to confirm that they wish their information to be held.

4.2 E-mail within Amgueddfa Cymru - E-mails that are marked as 'Personal' or 'Private and Confidential', or appear to be personal in nature, should be opened by the addressees only, or by a person identified by the recipient.

5. Publication of Amgueddfa Cymru information

5.1 Information that is already in the public domain is exempt from the 1998 Act. It is the policy of Amgueddfa Cymru to make public as much information about the Museum as is reasonable possible. Within the Museum's Publication Scheme, the following information is available:

- Amgueddfa Cymru Board Members
- Directorate (Senior Management Team)

6. Data Subject rights to access information

6.1 Anyone who has personal information managed by Amgueddfa Cymru has a right of access to that information. Any person wishing to exercise their right should address their request to the Director of Communications. The request should be

in writing, providing their name, contact details and the nature of the request. Individuals will be asked to provide a form of identification prior to any information being released. This is to ensure that personal information is only released to the person the information is about. Amgueddfa Cymru reserves the right to charge £10 per request.

7. Retention of Personal Information

7.1 Personal Information will only be kept for as long as required as under legislative requirements. Personal Information will be indefinitely retained where this information is associated with the accessioned items within the collection including archival collections.