Data Protection Policy

Introduction

We hold personal data about our workforce, customers, donors, suppliers and other individuals for a variety of business purposes.

This policy sets out how we seek to protect personal data and ensure that our workforce understand the rules governing their use of personal data to which they have access in the course of their work. In particular, this policy requires our workforce to ensure that the Data Compliance Officer (DCO) is consulted before any significant new data processing activity is initiated to ensure that relevant compliance steps are addressed.

Definitions

Personal data	Information relating to identifiable individuals, such as members, customers, participants, donors, job applicants, current and former employees and volunteers, agency, contract and other staff, suppliers and marketing contacts. Personal data we gather may include: individuals' contact details, educational background, financial and pay details, details of certificates and diplomas, education and skills, marital status, nationality, job title, and CV.
Sensitive personal data	Personal data about an individual's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership (or non-membership), physical or mental health or condition, criminal offences, or related proceedings – any use of sensitive personal data should be strictly controlled in accordance with this policy.

Scope

This policy applies to all our workforce. Staff and volunteers must be familiar with this policy and comply with its terms.

This policy supplements our other policies relating to internet and email use. We may supplement or amend this policy by additional policies and guidelines from time to time. Any new or modified policy will be circulated to staff and volunteers before being adopted.

Who is responsible for this policy?

As our Data Compliance Officer (DCO), Pippa Llewellyn has overall responsibility for the day-to-day implementation of this policy. Details of specific responsibility of the DCO and other key staff are set out later in this policy.

Our policy

We will process personal data in compliance with these data protection principles:

- Fair and lawful
- Specific and lawful purposes
- Adequate, relevant and not excessive
- Accurate and, where necessary, kept up-to-date
- Keep no longer than is necessary
- Rights of Data Subjects
- Appropriate technical and organisational security measures
- Not to be transferred to a country or territory outside the European Economic Area unless adequate protections are in place.

We will document the additional justification for the processing of sensitive data.

Fair and lawful processing

We will process personal data fairly and lawfully in accordance with individuals' rights. This generally means that we should not process personal data unless the individual whose details we are processing has consented to this happening or we have another legal basis for processing.

The processing of all data must be:

- Necessary to deliver our services
- In our legitimate interests and not unduly prejudice the individual's privacy
- In most cases this provision will apply to routine business data processing activities.

Conditions for processing

We will ensure any use of personal data is justified using at least one of the conditions for processing and this will be specifically documented. All staff who are responsible for processing personal data will be aware of the conditions for processing. The conditions for processing will be available to data subjects in the form of a privacy notice which will be provided to all date subjects when data is collected and is available on our website.

Sensitive personal data

In most cases where we process sensitive personal data we will require the data subject's explicit consent to do this unless exceptional circumstances apply or we are required to do this by law (e.g. to comply with legal obligations to ensure health and safety at work). Any such consent will need to clearly identify what the relevant data is, why it is being processed and to whom it will be disclosed.

Accuracy and relevance

We will ensure that any personal data we process is accurate, adequate, relevant and not excessive, given the purpose for which it was obtained. We will not process personal data obtained for one purpose for any unconnected purpose unless the individual concerned has agreed to this or would otherwise reasonably expect this.

Data retention

We will retain personal data for no longer than is necessary. What is necessary will depend on the circumstances of each case, taking into account the reasons that the personal data was obtained, but should be determined in a manner consistent with our data retention guidelines which can be found on our website.

Rights of Data Subjects

We will ensure that the rights of data subjects as set out in the data protection legislation are respected and adhered to:

- subject access
- to have inaccuracies corrected
- to have information erased
- to prevent direct marketing
- to prevent automated decision –making and profiling
- data portability

Data security

We will ensure that all personal data is held secure against loss or misuse. Where other organisations process personal data as a service on our behalf, the DCO will establish what, if any, additional specific data security arrangements need to be implemented in contracts with those third-party organisations.

International data transfers We will ensure that no data is be transferred outside the EEA for processing without the consent of the data subject and without first being discussed with the DCO.

Finding out more

To find out what information the BHMMT holds about you, you will need to submit a subject access request to the Data Compliance Officer. You can do this in several ways:

- ✓ Complete and return the Subject Access Request form
- ✓ email the Data Compliance Officer hello@bhmm.org.uk
- ✓ in a letter, addressed to: Data Compliance Officer, Biggin Hill Memorial Museum, Main Road, Biggin Hill, TN16 3EJ

Please provide as much detail as possible to help us answer your request.

You can also contact the Data Compliance Officer if you want to:

- ask us to correct any mistakes
- find out how we check the information we hold is accurate and up-to-date
- ask us to remove any information we hold about you
- ask us to transfer any information we have about you to another system
- find out what agreements we have with other organisations for sharing information
- find out in what circumstances we can pass on your personal information without telling you, for example to prevent and detect crime or to produce anonymised statistics
- find out what guidance is given to BHMMT staff about handling personal information. We will acknowledge your request within 5 working days of receipt and provide you with a response within 30 days. All information is provided free of charge.

Data Privacy Policy

Introduction

The Biggin Hill Memorial Museum Trust and Company is dependent on the generosity and support of its donors, employees, volunteers, supporters and visitors. Paramount to maintaining and building on this is that Biggin Hill Memorial Museum Trust and Company should conduct its business, at all times, in a manner which is fair and legal, and which preserves the public trust in the organisation. Biggin Hill Memorial Museum Trust and Company are committed to ensuring that personal data obtained by the organisation in the course of conducting its normal business is obtained fairly, lawfully and used for the purposes specified.

Your personal data – what is it?

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the General Data Protection Regulation (the "GDPR").

Who are we?

The Biggin Hill Memorial Museum Trust (BHMMT) is the data controller (contact details below). This means it decides how your personal data is processed and for what purposes.

How do we process your personal data?

The BHMMT complies with its obligations under the "GDPR" by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

We use your personal data for the following purposes:

- To process financial donations and gift-aid;
- To record objects gifted or loaned to the museum;
- To record object sponsorship;
- To administer the museum membership/year pass records;
- To inform you of news, events, activities and services run by the BHMMT and BHMMC;
- To manage volunteer attendant and working party volunteers;
- To maintain our own accounts and records.

Sharing your personal data

Your personal data will be treated as strictly confidential and will only be shared with other members of the Museum management in order to carry out a service for you.

We will not share your data with any third party, except in the case of gift-aided donations, which will be shared with HMRC as required by law.

How long do we keep your personal data?

We keep your data as shown below:

- For gift-aid, as agreed in your gift-aid declaration form, and for a period of six years thereafter to comply with HMRC requirements;
- For objects gifted or loaned to the museum, indefinitely;
- Whilst you are a friend of the museum;
- Whilst you volunteer to work at the museum, and for a short period thereafter.

Your rights and your personal data

- Unless subject to an exemption under the "GDPR", you have the following rights with respect to your personal data:
- The right to request a copy of your personal data which the BHMMT holds about you;
- The right to request that the BHMMT corrects any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary for the BHMMT to retain such data;
- The right to withdraw your consent to the processing at any time;
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to the processing of personal data, (where applicable);
- The right to lodge a complaint with the Information Commissioners Office.

Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Protection Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

Contact Details

To exercise all relevant rights, queries or complaints please in the first instance contact the Museum Director at hello@bhmm.org.uk.

You can contact the Information Commissioners Office on 0303 123 1113 or via email https://ico.org.uk/global/contact-us/email/ or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

Data Retention Guidelines

Purpose of this document

A vital part of the BHMMT's Data Protection Policy and practice is that personal data is retained for the appropriate period of time – neither too long nor too short. The Data Protection Policy states that:

"We will retain personal data for no longer than is necessary. What is necessary will depend on the circumstances of each case, taking into account the reasons that the personal data was obtained, but should be determined in a manner consistent with our data retention guidelines".

This document provides guidance on the implementation of this policy and the development and implementation of more detailed retention schedules for each category of personal data, and gives an indication of the special categories of personal data which needs to be retained for specified periods.

Determining the length of a retention period

All members of staff holding personal information should determine how long it is necessary to hold that data for and develop a retention policy for that data, taking into account the following:

- The purposes for which the data is held
- Any retention periods set out for special categories of data in the section 4 below
- The current and future value of the information
- The costs, risks and liabilities associated with retaining the information; and
- The ease of difficulty of making sure it remains accurate and up-to-date.

Where data is held for more than one purpose, there is no need to delete the data while it is still needed for any of those purposes. However, personal data should not be kept indefinitely "just in case", or if there is only a small possibility that it will be used.

All data retention policies must be approved by the Data Compliance Officer.

Deletion/Destruction of data

At the end of the retention period, or the life of a particular record, it should be reviewed and deleted, unless there is some special reason for keeping it. All data held should be reviewed at least annually and deleted/destroyed in accordance with the agreed retention policy. Automated systems can flag records for review, or delete information after a pre-determined period. The review date and method for doing this should be set out in the individual retention policies. You should only archive a record (rather than delete it) if you still need to hold it. You must be prepared to give subject access to it, and to comply with the data protection principles. If it is appropriate to delete a record from a live system, it should also be deleted from any back-up of the information on that system. Paper records containing personal data must be securely destroyed by shredding.

Categories of data with specified retention periods

This section gives a guide to the categories which have legislation determining the length of time for which personal data should be held.

Accident books	3 years after completion of book	Health & Safety at Work Act 1974

Accident/dangerous occurrence report forms	3 years after date of occurrence	Health & Safety at Work Act 1974
Advertising of vacancies	6 months after filling vacancy	Sex Discrimination Acts 1975 and 1986
Advertising of vacancies	6 months after filling vacancy	Race Relations Act 1976
Advertising of vacancies	6 months after filling vacancy	Disability Discrimination Act 1995
Appeals	6 years after settlement of dispute	Limitation Act 1980
Categorising and disposal of waste	3 years after creation	Health & Safety at Work Act 1974
Company accounts	6 years after creation	Companies Acts 1985 and 1989
Complaints	6 years after settlement of dispute	Limitation Act 1980
Conduct of testing, maintenance and statutory inspections and any necessary action	6 years after life of plant/equipment	Limitation Act 1980
Control of and use of hazardous substances	40 years after file closure	Health & Safety at Work Act 1974
Delivery and goods received notes	6 years after creation	Value Added Tax Act 1994
Disciplinary hearings against staff	6 years after settlement of case unless merged with staff personnel file	Limitation Act 1980
Ethnic monitoring questionnaire/reports	5 years after creation	Race Relations Act 1976
Hiring out of conference facilities	6 years after termination of agreement	Limitation Act 1980
Income and expenditure accounts	6 years after creation	Value Added Tax Act 1994
Inspection certificates	6 years after creation	Limitation Act 1980
Insurance claims	6 years after settlement of claim	Limitation Act 1980
Insurance policies	6 years after termination of policy	Limitation Act 1980
Job applications (successful)	Transfer to staff personnel file	Sex Discrimination Acts 1975 and 1986
Job applications (successful)	Transfer to staff personnel file	Race Relations Act 1976
Job applications (successful)	Transfer to staff personnel file	Disability Discrimination Act 1995
Job applications (unsuccessful) 6 months after filling of vacancy	6 months after filling of vacancy	Sex Discrimination Acts 1975 and 1986
Job applications (unsuccessful)	6 months after filling of vacancy	Race Relations Act 1976
Job applications (unsuccessful)	6 months after filling of vacancy	Disability Discrimination Act 1995
Maintenance schedules	2 years after creation	Limitation Act 1980
Management of bank accounts	6 years after creation	Value Added Tax Act 1994
Monitoring of employees health	40 years after creation	Health & Safety at Work Act 1974
Monitoring of working environments	40 years after creation	Health & Safety at Work Act 1974
Payroll payments	6 years after creation	Limitation Act 1980
Private hire agreements	6 years after creation	Limitation Act 1980
Procurement records (e.g. tenders) successful	6 years after supply contract	Limitation Act 1980
Procurement records (e.g. tenders) unsuccessful	1 year after creation	Limitation Act 1980
Purchase orders	6 years after creation	Value Added Tax Act 1994
Records of dissolved companies	10 years after dissolution	Companies Acts 1985 and 1989
Repair reports	6 years after life of plant/equipment	Limitation Act 1980

Reporting and investigation of accidents and dangerous occurrences	40 years after date of accident	Limitation Act 1980
Risk assessment	3 years after review	Health & Safety at Work Act 1974
Salary advices	3 years after current financial year	Financial Services Act 1986
Staff personnel files	6 years after termination of employment	Limitation Act 1980

Legitimate interest for holding and processing data

The Biggin Hill Memorial Museum Trust (BHMMT) processes personal information for certain legitimate business purposes, which include the following:

- To maintain information pertaining to the provenance of our collections
- Where the processing enables us to enhance, modify, personalise or to otherwise improve our services/communications for the benefit of our customers
- To administer and manage our Membership and Benefactor Schemes and provide information to members on related benefits and activities
- To provide our visitors/customers with postal information regarding the BHMMT including events and activities
- To personalise relationships with donors and provide news about the BHMMT work which will be of interest to them and encourage further giving
- To better understand how people, interact with our websites
- To manage ticket bookings, venue hire and other customer services
- To claim recovery of Gift Aid
- To manage communications with our partners, suppliers and PR and media contacts
- To enhance the security of our IT network and information systems, along with our physical site
- To recruit and manage our workforce, including payment of employees.

Whenever we process data for these purposes we will ensure that we always keep your Personal Data rights in high regard and take account of these rights. You have the right to object to this processing if you wish, and if you wish to do so or would like further information about any of the above please contact the Data Compliance Officer at hello@bhmm.org.uk or on 020 8313 4916. Please bear in mind that if you object this may affect our ability to carry out the tasks above for your benefit.