

Personal Information Policy

1. Introduction

- 1.1 The British Library collects and uses personal information, for example about its staff and users, to fulfil its purpose and to meet its statutory obligations.
- 1.2 The collection, use and disclosure of personal information are governed by a number of different areas of law.
- 1.3 This policy and supporting policies, procedures and guidance represent the British Library's interpretation of this legislation, compliance with the Data Protection Act 1998 and its associated legislation and Codes of Practice (henceforth "the Act"), and with the Human Rights Act with especial regard to Article 8.
- 1.4 The Data Protection Act 1998 obliges the Library to prepare an annual notification to the Information Commissioner providing details of the types of personal information it handles and for what purposes. The Register of such notifications can be consulted on the Information Commissioner's website. The Library will ensure that its Register entry is up-to-date and as full and accurate as possible. Notification is carried out by the Data Protection Manager on behalf of the British Library Board.
- 1.5 It is a disciplinary offence, and may be a criminal offence, to obtain or disclose personal information without authority or to misuse another individual's personal information in any way.

2. Scope

- 2.1 The Personal Information Policy applies to all staff and anyone working on behalf or under the instruction of the British Library. This includes staff, consultants, volunteers and contractors.
- 2.2 It applies to all personal information, regardless of format, relating to living individuals and which is processed by the British Library or by third parties working with, or on behalf of, the British Library. This includes the collection, use, storage, access to, and disposal of, personal information.
- 2.3 Personal information means information about a living individual who can be identified from that information either by itself or in combination with other information which is, or is likely to come into the possession of the British Library.
- 2.4 It includes information about staff, customers and personal information held as part of the Library's collections.

- 2.5 It does not include information relating to dead people, groups or communities, organisations or businesses.

3. Definitions

The Personal Information Policy uses the following definitions:

Personal information is information that relates to a living individual who can be identified from that information: this includes opinions as well as facts.

Individual is a person who is the subject of personal information.

Processing is any action or set of actions carried out on personal information. This includes collecting, holding, organising, altering, sharing, combining, disseminating, blocking or destroying personal information.

Data Controller is a person (or body) who determines the purposes for which personal information is processed and the manner in which this processing is carried out.

Data Processor is someone -- other than an employee -- who processes personal information on behalf or under the instruction of the Library.

Staff is anyone employed by, or otherwise working on behalf or under the instruction of, the British Library. This includes employees, temporary staff, consultants, volunteers and contractors.

4. Aims and objectives

4.1 The aim of the Personal Information Policy and suite of supporting policies, procedures and guidance is to provide direction and support for compliance with data protection legislation and good practice by establishing an operational framework to enable the British Library to:

- deliver its responsibilities and obligations to foster the fullest possible access to information for Library stakeholders, whilst respecting the importance of protecting individual privacy, and the operational need to safeguard commercial and operationally sensitive information;
- understand the categories of personal information that it processes and the level of risk related to the processing of that information, and to
- ensure and demonstrate compliance with information-related legislation;

5. Policy statement

5.1 The British Library recognises that personal information is the property of the individual and it regards the lawful and correct treatment of personal information as very important. To this end the British Library fully supports and adheres to the Eight Principles of Data Protection and respects the rights of individuals as set out in the Act and shall ensure that personal information for which it is responsible will:

- be obtained and processed fairly and lawfully and shall not be processed unless the processing is necessary for the purposes defined under the Act;
- be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose;
- be adequate, relevant and not excessive for those purposes;
- be accurate and kept up to date;
- be kept for no longer than is necessary for that purpose;
- be processed in accordance with the data subject's rights;
- be kept secure from unauthorised access, accidental loss or destruction;
- only be transferred to a country outside the European Economic Area under circumstances where the personal information can be adequately protected.

All British Library staff must observe these Principles when processing personal information.

5.2 To ensure that personal information under its control is managed in compliance with the data protection legislation and good practice the Library will:

- Ensuring that procedures are in place to enable the rights of individuals to be respected
- Establish a governance framework to implement, monitor and audit this policy to assess whether it continues to provide an infrastructure for maintaining and improving compliance with data protection legislation and good practice
- Provide clear guidance for staff and external agencies working for, or under the instruction of, the British Library to help them to use and share personal information securely and in full compliance with the law
- Ensure that disclosures to third parties are managed in compliance with data protection legislation and good practice
- Ensure that personal information processed by another organisation on behalf of the British Library is managed in compliance with data protection legislation and this policy and that sufficient guarantees are provided in respect of security measures comparable to those imposed on and by the Library
- Ensure that the level of security imposed to ensure compliance and protect individual rights will not prevent access to corporate information where this is operationally necessary and appropriate, or is a legal or reporting requirement

6. Responsibilities

British Library Board

For the purposes of the Data Protection Act, the British Library Board is the Data for Controller for the British Library.

Executive Team

The Executive Team has overall responsibility for this policy.

Data Protection Manager

The Data Protection Manager (DPM) is responsible for ensuring that the Library complies with the terms of the Act and for advising British Library staff and managers on all matters relating to the management of personal information.

British Library managers

British Library managers are responsible for ensuring that all staff or others processing personal information on behalf of the Library are aware of their obligations under the Data Protection Act and this policy.

Contractors and service providers

All contractors and service providers processing personal information on behalf of the British Library are contractually obliged to comply with the Data Protection Act 1998 and any associated British Library policies and relevant procedures. All staff responsible for contracting with service providers must ensure that contractors and service providers processing personal information on behalf of the British Library are aware of their obligations under the Data Protection Act and this policy.

All British Library staff

Any breach of the Act may have serious consequences for both the British Library and individuals who fail to comply. It is therefore essential that all staff comply with the requirements at all times.

Review

The Executive Team is responsible for the review of the Personal Information Policy.

This policy will be reviewed every three years.

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