

## Local Heritage List: Data Protection Policy

In managing the Local Heritage List (LHL), the South West Heritage Trust (SWHT) and Exmoor National Park Authority (ENPA) will process and store data provided by contributors to the scheme. This data will be held in accordance with the UK General Data Protection Regulation (UK GDPR).

### 1. *Data protection principles*

1.1. When processing personal data, we will comply with the UK GDPR's seven principles:

- a) Lawfulness, fairness and transparency
- b) Purpose limitation
- c) Data minimisation
- d) Accuracy
- e) Storage limitation
- f) Integrity and confidentiality (security)
- g) Accountability

1.2. 'Personal data' means recorded information we hold about you from which you can be identified. It may include contact details, other personal information, photographs, expressions of opinion about you or indications as to our intentions about you. 'Processing' means doing anything with the data, such as accessing, disclosing, destroying or using the data in any way.

### 2. *Fair and lawful processing*

2.1. We will usually only process your personal data where you have given your consent or where the processing is necessary to comply with our legal obligations. In other cases, processing may be necessary for the protection of your vital interests, for our legitimate interests or the legitimate interests of others.

### 3. *Personal data we may process*

3.1. During the development of the Local Heritage List, the SWHT and ENPA will collect and process the personal data provided by people nominating assets.

3.2. There are multiple ways to submit a nomination,<sup>1</sup> and data processing varies between the nominator's chosen method.

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<sup>1</sup> See <https://swheritage.org.uk/historic-environment-service/local-heritage-list/nominations/>.

The following information may be collected:

- a) the nominator's name
- b) their contact details (email or telephone number)
- c) relevant organisations and societies to which they belong
- d) any personal information submitted in photographs or descriptions of a heritage asset (for instance, answers regarding a building's 'appearance and noteworthy features' or 'reason for listing' which include identifying information about the nominator or owner)

3.3. The SWHT and ENPA may also collect the names and contact details of a nominated asset's property owners.

#### 4. *How we are likely to use your personal data*

4.1. The names and contact details of property owners may be used to send notification of the property's listing, or to make inquiries relevant to a listing decision.

4.2. The names and contact details of nominators will be used to obtain further information regarding the nominated asset, when it is required to make a listing decision. If a nominator indicates membership of a heritage organisation, the LHL team may contact this body (without disclosing nominators' details) to discuss the LHL project.

4.3. With their permission, nominators' names will be presented as sources of information in the online Historic Environment Record. If permission is not granted, the information will be presented anonymously.

4.4. Personally identifiable information submitted within written descriptions and photographs of assets may be used for several purposes:

- a) to help the LHL panel make a decision about awarding listed status, if the details provided are relevant to LHL Criteria
- b) for online display in the Historic Environment Record and Know Your Place entries, to make the LHL publicly available
- c) to publicise the LHL by uploading the content to the South West Heritage Trust and Exmoor National Park websites, as well as social media channels

Information considered personal data will not be made public without permission.

## 5. *Processing for limited purposes*

All data will be processed solely for the purpose of building, administering and maintaining the LHL.

## 6. *Adequate, relevant and non-excessive processing*

Your personal data will only be processed to the extent that it is necessary for the specific purposes notified to you.

## 7. *Accurate data*

We will keep the personal data we store about you accurate and up to date. Data that is inaccurate or out of date will be destroyed. Please notify us if your personal details change or if you become aware of any inaccuracies in the personal data we hold about you.

## 8. *Limited data storage*

8.1. We will not keep your personal data for longer than is necessary for the purpose. This means that data will be destroyed or erased from our systems when it is no longer required. While the initial listing project will be completed in 2022, the List will continue to be reviewed and updated; it will therefore be necessary to retain data to ensure the List's ongoing accuracy.

8.2. Data submitted to the Local Heritage List team (such as nomination forms) may be stored within the SWHT building, the SWHT servers, and (if it is relevant to Exmoor) the ENPA servers. In addition, information regarding heritage assets will be held online in the Historic Environment Record (hosted by the SWHT), and Know Your Place (stored on Bristol City Council servers). Personal information will not be made publicly accessible on any platform without consent.

For further information regarding the local and timeframe of data retention, contact the Local Heritage List team at the South West Heritage Trust.

## 9. *Processing in line with your rights*

You have the right to:

9.1. Request access to any personal data we hold about you.

9.2. Prevent the processing of your data for direct-marketing purposes.

9.3. Ask to have inaccurate data held about you amended.

9.4. Prevent processing that is likely to cause unwarranted substantial damage or distress to you or anyone else.

9.5. Object to any decision that significantly affects you being taken solely by a computer or other automated process.

#### *10. Data integrity and confidentiality*

10.1. We will ensure that appropriate measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data.

10.2. We have in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction.

10.3. We will only transfer personal data to a third party if they agree to comply with those procedures and policies, or if they put in place adequate measures themselves.

10.4. Maintaining data security means guaranteeing the confidentiality, integrity and availability (for authorised purposes) of the personal data.

#### *11. Providing information to third parties*

The SWHT and ENPA will not disclose your personal data to a third party without your consent unless we are satisfied that they are legally entitled to the data. Where we do disclose your personal data to a third party, we will have regard to the seven UK GDPR principles.

#### *12. Subject access requests*

If you wish to know what personal data we hold about you, you must make the request in writing to the Local Heritage List team, South West Heritage Trust. Personal data information requests will be actioned within 28 days of receipt unless you are notified otherwise. No charge will apply for information held directly by the Trust. If personal data requests require information from a third party or supplier, the time taken to action the request may be extended in accordance with the service delivery of the supplier. Any charges incurred from a third party supplier as a result will be passed on to the individual making the request.

#### *13. Breaches of this policy*

If you consider that this policy has not been followed in respect of personal data about yourself or others, you should contact the South West Heritage Trust. Any breach of this policy will be taken seriously and may result in disciplinary action.