



Data Protection

Heritage Collections and UK GDPR

What is UK GDPR and why does it matter?

UK GDPR (General Data Protection Regulation) is legislation codifying how and why personal data can be held and treated by organisations. It confirms a fundamental right to privacy and restricts the ways that data can be shared. This is important in the context of heritage collections as our material, especially archival material, can contain *personal data* – meaning we sometimes need to restrict access to certain material. This is especially important when dealing with *special category* data.

What is personal data?

Personal data refers to information that can identify individuals. It includes, but is not limited to:

- Name
- Age
- Date of birth
- Location data (e.g. addresses)
- Online identifiers (e.g. cookies or IP addresses)
- Physical factors
- Economic factors
- Cultural factors

When does UK GDPR apply?

UK GDPR protects data of any living individual. UK GDPR does not apply to anyone who is deceased, unless sharing that person's personal data would cause substantial damage or distress to a living person (e.g. their relatives). Examples of substantial damage or distress include:

- Financial loss
- Physical harm
- Strong emotional upset

What is special category data?

Special Category data refers to data that needs further protection due to its sensitive nature. It includes, but is not limited to:

- Racial or ethnic origins
- Political opinions
- Religious or philosophical beliefs
- Trade Union membership
- Genetic data
- Biometric data
- Health
- Sexual orientation

What does this mean?

Since we have a duty to make sure that we do not violate UK GDPR by sharing personal data in our collections, we may need to check and restrict access to certain material. If researchers request material from within the last 100 years, it may need to be cleared by an archivist before it can be made available. In some cases, the material may not be made available, or may be made available with restrictions – in which case we need signed agreement to those restrictions.

