



Comisiynydd y
Gymraeg
Welsh Language
Commissioner

Data Protection Legislation - The Welsh Language Commissioner's Policy

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1 Purpose

- 1.1 This policy outlines the arrangements that have been put in place by the Welsh Language Commissioner to ensure compliance with the data protection legislation. It also includes details on how to submit an application for a copy the information that the Welsh Language Commissioner holds about you.
- 1.2 **Data Protection Legislation** means the Data Protection Act 2018 and any other applicable law or regulation relating to the processing of personal data and to privacy, as such legislation shall be amended, revised or replaced from time to time, including by operation of the General Data Protection Regulation (“UK GDPR”).

2 Your rights and how to submit a request

- 2.1 The Commissioner is committed to complying fully with data protection legislation and will follow the rights the legislation gives to individuals.
- 2.2 Under the data protection legislation you have rights over your information. You have the right to ask the Commissioner for a copy of the information the Commissioner holds about you.
- 2.3 You also have the right to ask the Commissioner to:
 - correct any inaccurate information the Commissioner holds about you
 - delete the information the Commissioner holds about you in some circumstances
 - stop using your personal information for certain purposes
- 2.4 Where appropriate, the Commissioner will supply, correct or delete personal information about you on its files. Sometimes the Commissioner may not be able to comply with your request. If this is the case, the Commissioner will tell you and explain why he cannot comply with your request.
- 2.5 If you request a copy of your information, it will need to be in writing. You may be asked to prove your identity with two pieces of approved identification information. Once these are received by the Commissioner, a response will be sent to you within one month.
- 2.6 If you apply to correct your information, you can do it verbally or in writing. The Commissioner will try to respond to you within one month. In some cases, the Commissioner may not be able to comply with your request. But if this is the case, he will tell you and explain why.
- 2.7 The Commissioner will not charge you a fee for dealing with your request for a copy of your personal information (unless your application is obviously unfounded or excessive).
- 2.8 Once you have completed the form, you should send it to the Senior Governance Officer at the following address:

- via e-mail for the attention of the Senior Governance Officer to: post@ctg-wlc.wales ; or
- by post to:
Restricted: Personal
Senior Governance Officer
Welsh Language Commissioner
Market Chambers
5-7 St Mary Street
Cardiff
CF10 1AT

Responsibilities

- 2.9 The Welsh Language Commissioner, as Accounting Officer, is accountable and responsible for Information Governance, and is ultimately responsible for determining policies which are relevant to information held by the Commissioner. The Accounting Officer provides assurance, through the annual Governance Statement, that all risks to the Commissioner, including risks relating to information, are managed and mitigated effectively.
- 2.10 The Directors are responsible for ensuring that information which falls under the scope of their responsibility fully complies with those policies and procedures determined by the Welsh Language Commissioner, including information processed by contractors, partners or other authorities working under any agreement with the Commissioner.
- 2.11 Senior Officers are responsible for processing information according to information governance policies, procedures, guidance and the general framework determined by the Welsh Language Commissioner.
- 2.12 All officers are responsible for processing information according to information governance policies, procedures, guidance and the general framework determined by the Welsh Language Commissioner.
- 2.13 The Senior Governance Officer, who also acts as the Data Protection Officer, is responsible for administering all subject access requests made to the Commissioner. This officer also provides a contact point for all the Commissioner's officers seeking advice on data protection issues.

Training

- 2.14 The Commissioner will ensure that all officers receive training which is appropriate to their responsibilities under this policy along with its related procedures and guidance.
- 2.15 The Commissioner will also ensure that contractors and organisations working under service level agreements and partnership agreements are aware of their responsibilities to the Welsh Language Commissioner as data processors and have adequate arrangements to ensure that they can properly meet their responsibilities.

Monitoring, review and reaching a decision

- 2.16 The Commissioner keeps a record of all requests to disclose personal data made under the Data Protection legislation and the steps taken in relation to each request.

- 2.17 The Commissioner has procedures for undertaking systematic reviews of its arrangements for administering and managing personal data.
- 2.18 The Commissioner will record every complaint made regarding data protection arrangements and will ensure that any lessons learned following any such complaints are used to improve policies and procedures.
- 2.19 This policy will be reviewed every two years¹ in order to ensure that it remains current, effective and considers any emerging good practice. Where new legal directives come into force, the policy will be reviewed in accordance with the start date of that legislation.

Complaints or enquiries

- 2.20 Should you have a complaint about the way in which the Commissioner has responded to a request under Data Protection legislation, you should ask the Commissioner to review its decision. A review will be held within 20 working days of receiving an appeal.
- 2.21 For further information, please refer to the Complaints Procedure for actions or omissions in relation to exercising the Commissioner's functions. The review will be undertaken by the Commissioner's appropriate officers. Should you remain dissatisfied, you may raise the matter with the Information Commissioner's Office. Contact details are provided at the end of this policy.

3 The Welsh Language Commissioner's other information governance policies

Privacy Notice

- 3.1 The Commissioner's privacy notice lets you know what to expect when the Commissioner collects personal information including: the Commissioner's purpose for processing your information, retention periods for the information and who the information is shared with. It is relevant to information held on:
- individuals in relation to the provision of services by the Commissioner;
 - people who use the Commissioner's services;
 - visitors to the Commissioner's website;
 - individuals employed by the Commissioner; and
 - individuals used by the Commissioner under contract or agreement.

Information Retention and Disposal Policy

- 3.2 The Commissioner's Information Retention and Disposal Policy determines for how long the record needs to be kept and the steps that should be taken when it has no further use.
- 3.3 The Commissioner's Retention and Disposal Policy states the retention periods for the different kinds of personal data it holds.

The Welsh Language Commissioner's publication scheme

- 3.4 The Welsh Language Commissioner's publication scheme explains what information on the Commissioner and its work is released to the public as a matter of course.

4 Further information

4.1 Independent advice on accessing information and issues relating to the Data Protection legislation can be sought from:

The Information Commissioner's Office - Wales
Second Floor, Churchill House
Churchill Way
Caerdydd
CF10 2HH
Tel: 0330 414 6421
Email: wales@ico.gsi.gov.uk
Website: www.ico.org.uk