



Eich cyf/Your ref  
Ein cyf/Our ref TO/VG/05085/20

Wynne Jones

minyrafon@btinternet.com

22 September 2020

Dear Wynne

Thank you for your e-mail to the Minister for Health and Social Services about the collection and retention of personal data in line with the Test, Trace and Protect service.

I have been asked to reply and I am sorry for the delay in doing so, which I am sure you will understand has been caused by an unprecedented volume of correspondence during the current public health crisis.

The tourism and hospitality sectors are considered to carry a higher risk of transmitting COVID-19 because customers and visitors spend longer times on these premises than in other surroundings and potentially come into close contact with people outside of their household. For this reason we are asking that businesses, such as pubs, encourage visitors to share their contact details.

Under GDPR, the business owners who are collecting data are acting as the data controller. This means that businesses have certain legal obligations in handling any data they collect and must ensure they are satisfied that they are complying with GDPR, to protect the privacy of all staff, customers and visitors. This includes storing data securely.

When collecting the details, businesses are required to make it clear to their customers why this information is being collected. This can be done, for example, by a verbal explanation or on a website or a notice displayed at their premises clearly stating that the information provided may be shared with the NHS Wales Test, Trace, Protect service.



Grŵp Iechyd a Gwasanaethau Cymdeithasol  
• Health and Social Services Group  
Parc Cathays • Cathays Park  
Caerdydd • Cardiff • CF10 3NQ

Canolfan Cyswllt Cyntaf  
• First Point of Contact Centre:  
E-bost • E-mail:  
[CustomerHelp@gov.wales](mailto:CustomerHelp@gov.wales)  
Ffôn • Tel: 0300 0604400

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

GDPR requires that any personal data collected must be processed fairly and transparently. If it has been collected for contact tracing purposes only (i.e. information that they would not ordinarily collect in the usual course of their business) it must be used only for those purposes and not for other purposes including marketing, profiling, analysis or other purposes unrelated to contact tracing.

In short, records should be held for 21 days from the date of each separate instance in which a staff member, customer or visitor has been on the premises. This covers the typical maximum 14-day incubation period of the virus and an additional seven days during which people may be infectious after symptom onset. This will allow for testing and contact tracing, should it be required. After 21 days, this information must be securely disposed of or deleted.

Of course, many businesses that take bookings already have systems for recording their customers and visitors – including restaurants, hotels and hair salons – which can serve as the source of the information above.

Further and more detailed information can be found on the main Welsh Government website and will be updated as necessary – <https://gov.wales/keeping-records-staff-customers-and-visitors-test-trace-protect>

I hope this is helpful, thank you for writing to us.

Yours sincerely,

Julie Hanley