

PART A

Report to: Audit Committee
Date of meeting: 15 March 2018
Report of: Head of Democracy and Governance
Title: GDPR Update

1.0 Summary

1.1 Members at the meeting in December asked for information about how the Council intended to implement the changes being brought about by the GDPR. This report provides an update on steps being taken.

2.0 Risks

2.1

Nature of Risk	Consequence	Suggested Control Measures	Response <i>(Treat, tolerate, terminate, transfer)</i>	Risk Rating (the combination of severity and likelihood)
The Council is not GDPR compliant by 25 May 2018	Risk of complaints to the ICO and loss of reputation	Project group set up. Data Audits undertaken. Policies and procedures being reviewed	Treat	4

3.0 Recommendations

3.1 That the report is noted.

Contact Officer:

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4.0 Detailed proposal

- 4.1 Members at the meeting in December asked what steps the Council was taking to be ready for the introduction of GDPR in May 2018. This report informs the Committee what the Council has been doing
- 4.2 A project group was set up last September jointly with Three Rivers District Council as we have a shared service. It has representatives from all departments. The first task that the group undertook was to ask each of their service areas to complete a data audit so we could get a picture of what personal data we were collecting, why we were collecting it, who we were sharing it with and how we were storing it. This has been completed.
- 4.3 We are currently looking at what information we tell our customers about how we use the personal data we obtain from them, (otherwise known as privacy notices), and amending them to comply with the extended requirements of the GDPR.
- 4.4 Each service is also looking at how long it needs to keep personal data for and developing a retention schedule. This will be attached to a corporate retention policy.
- 4.5 Services are also looking at their contracts with organisations that process personal data on our behalf. Currently Data Processors do not have liability if there is a data breach caused by them. It is the Data Controller (the body that gave them the data to process) that is responsible. Under the GDPR they too will be liable and Data Controllers must make sure Processors have proper processes and procedures in place. Contracts will need to be amended to reflect this.
- 4.6 Under the GDPR as a public authority we will be required to employ a Data Protection Officer. Following Council approving a budget for this in January we are in the process of recruiting to this part time post.
- 4.7 Finally all staff are being required to attend compulsory training on the GDPR which is being given by the Head of Democracy and Governance and the Three Rivers Data Protection Officer. It is intended to have a session for councillors post the May elections and before the 25 May.

5.0 **Implications**

5.1 **Financial**

5.1.1 The Shared Director of Finance comments that Council approved growth to employ a part time Data Protection Officer at the Council meeting in January 2018.

5.2 **Legal Issues** (Monitoring Officer)

5.2.1 The Head of Democracy and Governance comments that the Council is taking all reasonable steps to be GDPR compliant.

5.3 **Equalities/Human Rights**

5.3.1 The whole ethos around the GDPR is the protection of the personal data of individuals. It is intended to put the individual at the heart of the legislation.

5.4 **Staffing**

5.4.1 The Council is required to have a Data Protection Officer.

Background Papers

No papers were used in the preparation of this report.

File Reference

None