

Corporate Governance Committee  
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ICO Audit and GDPR Update

Gordon McFarlane – Assistant Director,  
Corporate Services

Thomas Barker – Data Protection  
Officer

## Corporate risk #3.2

- *'If the Council fails to meet information security and governance requirements then there may be breach of statutory obligations'*
- Possible consequences: -
  - Diminished public trust in ability of LCC to provide services
  - Don't comply with Public Service Network (PSN) Code of Connection standard. LCC could be disconnected from PSN services. Possible impact on delivery of vital services
  - Lose confidential information. Compromise people's safety
  - Damage to LCC reputation
  - Financial penalties
  - Potential disruption to services

# ICO audit

- In December 2016 the Council agreed to a voluntary Data Protection Audit by the Information Commissioner (ICO). The audit was held in September 2017
- The ICO audited the Council on 3 different topics:
  - Data Protection governance
  - Training and awareness
  - Subject Access Requests
- The Council submitted over 250 documents, over 500 staff completed an online survey and over 30 staff were interviewed by the auditors.

# ICO audit outcome

- The Council has received the rating of 'Reasonable Assurance' - the second highest an authority can receive - a better result than expected and a positive endorsement for the preparation and ongoing work.
- The audit has still resulted in 97 recommendations for the Council to follow up on.
- All recommendations have been accepted and an action plan has been agreed with the Commissioner.

# ICO audit actions

- We will need to provide written feedback on how the actions are progressing after 6 months.
- The Commissioner will not return for another visit unless they have reason to believe that we are not implementing the action plan.
- We are on target to implement all actions by May 2018.
- The most pressing relate to the creation of an Information Asset Register and the completion of mandatory training.

# General Data Protection Regulations

- GDPR – New data protection regulations comes into force across the EU from 25<sup>th</sup> May 2018. BREXIT will not affect having to comply.
- Main Changes:
  - Enhanced rights for individuals - even more important to tell service users what we intend to do with their information
  - Single Data Protection law across Europe and for European Citizens
  - Greater / more prescriptive obligations on those who process personal data
  - New principle around being able to demonstrate compliance with principles. This is known as the accountability principle. Will lead to significant increase in the need to evidence and record what we do.
  - Serious consequences, including increased fines for non-compliance
- A formal structured programme of work is underway to ensure that we move towards compliance.

# GDPR Project

- The Council is taking significant steps in its preparations for the new GDPR. A project is underway and a project plan is in place.
- This plan is broken down into 2 main areas.
  - Policy, procedure and process. This involves the engagement of numerous areas across the Council, such as Procurement, ESPO and Data & Business Intelligence. The Council will have GDPR compliant policies, procedures and processes by 25<sup>th</sup> May 2018.
  - The main activity impacting on the wider business is the creation of an Information Asset Register. Departments have completed questionnaires aimed at identifying what data they have, and what they do with it. Questionnaires for approximately 1300 datasets were sent and over 95% have been returned to date. This is an excellent start, and work is ongoing to complete the exercise.

# GDPR and ICO audit governance

- An Information Governance Project Board has been set up to govern both the GDPR project plan and the ICO Audit Action Plan
- The board is chaired by the Director of Corporate Resources.
- There is also senior representation across all service areas and the board includes Caldicott Guardians
- The board meets monthly



# Questions?

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