

Committee:	Governance, Audit and Performance	Date:	8 February 2018
Title:	General Data Protection Regulation (GDPR) Compliance Progress Report		
Report Author:	Sheila Bronson, GDPR Project Lead Officer, 01799 510610	Item for decision:	No

Summary

1. To provide an update to the Governance, Audit & Performance Committee details of work being undertaken by the Council's towards compliance with the EU General Data Protection Regulation (GDPR) which come into force on 25 May 2018.

Recommendation

2. That the General Data Protection Regulation (GDPR) Compliance Progress Report be noted.

Financial Implications

3. None

Background Papers

4. None

Impact

- 5.

Communication/Consultation	An officer Project Team has been set up with representation from all departments. A communication strategy is be a key part of implementing the GDPR.
Community Safety	none
Equalities	None direct, although the need to protect sensitive personal data may be more significant for groups with one or more protected characteristics.
Health and Safety	none
Human Rights/Legal Implications	The Council is under a legal obligation to comply with the terms of the GDPR when they take effect on 25 May 2015. Penalties

	can be imposed, and reputational damage suffered, if it does not. Non-compliance may also lead to an infringement of the rights of individuals, in particular their “Article 8” right to respect for their private life and home.
Sustainability	none
Ward-specific impacts	none
Workforce/Workplace	All Council employees need to be aware of data protection requirements and to carry out their work in a compliant manner. This is particularly important for employees who have access to sensitive personal information about members of the public.

Situation

6. The EU General Data Protection Regulation (GDPR) come into force on 25 May 2018.
7. GDPR will replace the Data Protection Act 1998, and will be supplemented by the Data Protection Bill 2017-19 currently progressing through Parliament.
8. The Council has established a GDPR Project Team to undertake a programme of work to review the Council’s current level of compliance and the actions needed to ensure gaps in compliance are rectified by 25 May 2018.
9. Two temporary posts (12 months) have been created to oversee the GDPR compliance work; with the Internal Audit Manager appointed as GDPR Lead Officer and a GDPR Compliance Officer in post from 13 November 2017.

Work Programme

10. The Information Commissioner has published guidance on the twelve principal steps that organisations should take to ensure GDPR compliance and form the basis of the Council’s work towards this.
11. The GDPR Project Plan includes the actions needed to address the twelve steps identified by the Information Commissioner and is kept under review and adapted as further guidance becomes available and as the Data Protection Bill proceeds through Parliament.
12. GDPR Project Team meets monthly to review progress on its Project Plan; a summary of the progress towards completion of the Project Plan is presented at Appendix A to this report.

13. A Council wide data mapping and flowcharting exercise is in progress, all high risk services (those service areas processing the highest volume of personal and sensitive data) have been reviewed; Medium and Lower risk service areas are currently under review. Through Data Protection Impact Assessments (DPIA), this exercise is identifying the areas where further action is required to ensure compliance.
14. Work will commence shortly on drafting Privacy Notices which are required to ensure that people are made fully aware of the reasons that the Council has gathered and will be processing their data and of their rights as data subjects under GDPR.
15. A programme of GDPR awareness for staff has been launched through the GDPR intranet page which includes Frequently Asked Questions and an updated GDPR Project Plan Summary. The GDPR Team are giving GDPR overview presentations at service team meetings.
16. Regular updates on the Project Plan progress are reported to the Corporate and Senior Management Teams.

Update on Progress

17. A GDPR Compliance Progress Report will continue to be brought to future meetings of this committee during the lifetime of the GDPR Project.

Risk Analysis

18.

Risk	Likelihood	Impact	Mitigating actions
The Information Commissioner can impose sanctions on the Council if it fails to show its compliance with GDPR from 25 May 2018	1 The Council may not achieve full compliance by 25 May 2018	3 Data breaches due to non-compliance will be subject to sanctions varying in severity from warnings, reprimands, corrective orders to fines of up to €20m	Action is being taken to towards ensuring the Council is in a position to demonstrate GDPR Compliance by 25 May 2018

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.