

Joint Executive (Cabinet) Committee

Forest Heath & St Edmundsbury councils

West Suffolk
working together

Title of Report:	Data Protection Policy	
Report No:	CAB/JT/18/008	
Report to and date:	Joint Executive (Cabinet) Committee	25 June 2018
Portfolio holders:	Ruth Bowman FHDC Portfolio Holder for Future Governance Tel: 01638 510896 Email: ruth.bowman@forest- heath.gov.uk	Carol Bull SEBC Portfolio Holder for Future Governance Tel: 01953 681513 Email: carol.bull@stedsbc.gov.uk
Lead officer:	Leah Mickleborough Service Manager (Democratic Services) / Data Protection Officer Tel: 01284 757162 Email: leah.mickleborough@westsuffolk.gov.uk	
Purpose of report:	The Data Protection Policy provides the Council's overall approach as to how it processes and manages personal data. This report provides an update on the Councils' approach to managing data in response to the General Data Protection Regulations (GDPR), and seeks approval for the revised Data Protection Policy.	
Recommendation:	It is <u>RECOMMENDED</u> that the Data Protection Policy, as contained in Appendix A to Report No: CAB/JT/18/008, be approved.	
Key Decision: (Check the appropriate box and delete all those that do not apply.)	Is this a Key Decision and, if so, under which definition? Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	

<i>The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</i>			
Consultation:		None	
Alternative option(s):		None Presented	
Implications:			
<i>Are there any financial implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
<i>Are there any staffing implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
<i>Are there any ICT implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
<i>Are there any legal and/or policy implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
<i>Are there any equality implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Failure to manage personal data appropriately leads to distress to the individual, reputational damage to the council and potential sanctions / fines	Medium	The data protection policy forms part of the Council's overall approach to managing personal data in an appropriate and lawful manner	Low
Ward(s) affected:		n/a	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		Report to Cabinets in October 2018 – GDPR : (This is the Forest Heath report – the St Edmundsbury report was identical)	
Documents attached:		Appendix A – Data Protection Policy	

1. Key issues and reasons for recommendation

- 1.1 Our residents and customers trust that in providing their data to us, we will take appropriate measures to ensure it is kept secure and used appropriately.
- 1.2 In October 2017, both Cabinets agreed a programme of work to support implementation of the General Data Protection Regulations (GDPR). Subsequently, work has been undertaken across all services (including ARP) to develop processes and procedures to support the Council's compliance with the new requirements.
- 1.3 The Data Protection Act 2018 received Royal Assent on 24 May 2018, and it is expected there will be further guidance forthcoming for Councils to assist in determining the way that data should be processed.
- 1.4 A core part of the Councils' approach is our over-riding Data Protection Policy. The proposed policy, which is attached at Appendix A, has been evolved from our former policy – reflecting that the GDPR are an evolution from the former Data Protection Act.
- 1.5 The policy is presented for Cabinet approval; demonstrating the Cabinets' commitment to the importance of good data protection practices across the organisation.

2. Approach for West Suffolk Council

- 2.1 This policy has been written jointly for West Suffolk Councils, albeit until 1 April 2019, Forest Heath and St Edmundsbury will remain as the legal data controllers. An information sharing agreement is being developed to formalise the arrangements for data sharing between Forest Heath, St Edmundsbury and West Suffolk Shadow Council.
- 2.2 Subject to approval on 25 June 2018, it is expected this policy will then be adopted alongside other aligned Council policies for the new West Suffolk Council.