

Report to Portfolio Holder for Resources and Reputation

Subject: Minor amendments to the Data Protection Policy

Date: 5 February 2019

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Wards Affected

Not applicable.

Purpose of the Report

To seek approval for the minor amendments made to the Council's Data Protection Policy.

Key Decision

This is not a Key Decision.

Recommendation(s)

THAT:

- 1) The revised Data Protection Policy (version 1.4) be approved.**

Background

- 1.1 Cabinet approved an updated Data Protection Policy on 28 June 2018 in order to make the council's policy compliant with new legislation. Due to the fluid nature of the data protection landscape and new guidance being issued regularly by the Information Commissioner's Office the policy has been kept under close review.

Proposal

- 2.1 The Data Protection Policy has been refined in appearance and some minor changes to section numbering and related references have been made. Alongside this, there is reference to the process for Data Protection Impact Assessments being an absolute requirement when implementing new methods of collecting and or processing personal data (paragraph 5.3). This is required by law and was an omission in the original revisions.

2.2 The portfolio holder is requested to grant approval to the minor amendments.

Alternative Options

3.1 An alternative option is that approval to amend Data Protection Policy is not granted. This would mean that the Council's policy is out dated and would not reflect the recent legislative changes and requirements. The out dated policy would also include incorrect information on how the Council treats personal information. The failure to have an up to date policy document including the APD would mean that the Council would be in breach of the DPA 2018 and could open the Council up to enforcement action by the Information Commissioner's Office and ultimately financial penalties.

Financial Implications

4.1 There are no financial implications arising from the revisions to this policy.

Appendices

Appendix 1 – Data Protection Policy v1.4

Background Papers

None identified.

Reasons for Recommendation

To ensure the Council's data protection policies and procedures are up to date with the recent legislation changes. To ensure the Council is compliant with the GDPR and the DPA 2018.