

Report Number: WSC 87/18

West Somerset District Council

Audit Committee – 3 December 2018

GDPR Action Plan Update

This matter is the responsibility of Cllr Martin Dewdney Portfolio Holder for Resources and Central Support

Report Author: Richard Doyle, Corporate Strategy & Performance Officer

1 Purpose of the Report

1.1 This report provides an update on the actions taken by the Council following the implementation of the new (EU) General Data Protection Regulations (GDPR) and the UK Data Protection Act 2018 which came into force on 25 May 2018.

1.2 The report follows on from the GDPR report provided to the Members of the Committee at the March 2018 meeting.

Recommendations

1.3 To note the actions being taken in order to comply with GDPR.

2 Risk Assessment

2.1 GDPR compliance is recognised as a key corporate risk and is recorded on the Corporate Risk Register. The GDPR Compliance Action Plan and associated activities are the key mitigating actions for that risk.

3 GDPR – Background and Key Changes

3.1 The General Data Protection Regulations and the UK Data Protection Act came into force on 25 May 2018.

3.2 This new legislation covers virtually any organisation or individual who is collecting and processing personal data. So it applies to the Council, but also covers personal data that Elected Members collect as part of their role as a councillor.

3.3 The purpose behind the new GDPR Regulations is to provide a consistent approach across the EU to data protection, to keep pace with technological changes and to attempt to redress the balance between the rights of the individual and the

organisations that use and process their personal data. GDPR seeks to give back individuals control of their personal data.

4 GDPR – Our Compliance Action Plan

4.1 In the autumn of 2017 we devised a GDPR Action Plan based on the Information Commissioners Office's 12 recommended steps to GDPR compliance. This identified the key actions we needed to take and also to seek alignment with delivery of our broader transformation changes. This was to ensure that we implement a data and information management approach for the future, which both meets the needs of GDPR and our new ways of working.

4.2 Whilst we did not deliver the entire plan by 25 May 2018, we have delivered the basic changes required to enable compliance and we can demonstrate that we have a clear roadmap to a robust future approach to data and information management.

4.3 Please see our GDPR Action Plan at Appendix A which gives a progress report on where we currently are with each action.

5 Links to Corporate Aims / Priorities

5.1 There are no direct links to corporate aims/priorities

6 Finance / Resource Implications

6.1 There are potentially going to be costs associated with implementing software changes to our existing line of business systems, developing our broader information architecture and in providing training in order to ensure GDPR compliance. In particular we need to be able to easily identify, disclose, amend and delete data in future. We are in the process of identifying these costs.

6.2 Additionally, the penalties we can be charged for data breaches are potentially a lot higher (£m's) than under the current legislation, which makes this a higher risk area. Consequently we have identified the detailed Action Plan to deliver compliance and a comprehensive approach to information and data management in future in order to mitigate this risk.

7 Legal Implications

7.1 The GDPR Regulations and new Data Protection Act are significant pieces of new legislation, which we need to fully understand and implement.

8 Environmental Impact Implications

8.1 There are no environmental impact implications associated with this report.

9 Safeguarding and/or Community Safety Implications

9.1 There are no direct safeguarding or community safety implications associated with this report.

10 Equality and Diversity Implications

10.1 There are no direct equality and diversity implications associated with this report.

11 Social Value Implications

11.1 There are no direct social value implications associated with this report.

12 Partnership Implications

12.1 We will need to review our data sharing and processing arrangements with any partner organisations with whom we share personal data.

13 Health and Wellbeing Implications

13.1 There are no health and well-being implications associated with this report.

14 Asset Management Implications

14.1 There are no asset management implications associated with this report.

15 Consultation Implications

15.1 There are no consultation implications associated with this report.

Democratic Path:

- **Audit Committee – Yes**
- **Cabinet – No**
- **Full Council – No**

Reporting Frequency: 6 monthly

List of Appendices (delete if not applicable)

Appendix A GDPR Action Plan

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