

SOUTH STAFFORDSHIRE COUNCIL**STANDARDS AND RESOURCES COMMITTEE – 14 SEPTEMBER 2023****DATA PROTECTION POLICY UPDATE****REPORT OF CORPORATE DIRECTOR OF GOVERNANCE****PART A – SUMMARY REPORT****1.0 SUMMARY OF PROPOSALS**

- 1.1 The Council's Data Protection Policy has been reviewed and refreshed to ensure it remains up to date and fit for purpose. The report also provides an update with regard to data protection compliance matters.

2.0 SUMMARY IMPACT ASSESSMENT

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| POLICY/COMMUNITY IMPACT | Do these proposals contribute to specific Council Plan objectives? | |
| | Yes | Having an effective and efficient Council underpins the delivery of the Council Plan. |
| | Has an Equality Impact Assessment (EqIA) been completed? | |
| | No | No significant changes to the policy so no implications that have not been considered previously. |
| SCRUTINY POWERS APPLICABLE | Report to Standards and Resources Committee | |
| KEY DECISION | No | |
| TARGET DATE | 14 September 2023 | |
| FINANCIAL IMPACT | Yes | There are no direct financial implications arising from this report. |
| LEGAL ISSUES | No | There are no direct legal implications arising from this report. Compliance with the data protection legislation is a legal requirement. |
| OTHER IMPACTS, RISKS & OPPORTUNITIES | No | |
| IMPACT ON SPECIFIC WARDS | No | |

3.0 BACKGROUND

- 3.1 The Council's Data Protection Policy has been reviewed and refreshed to ensure it is up to date and fit for purpose. No significant changes were required as the policy was found to be fit for purpose. The policy can be seen at Appendix 1. Member approval is sought. The Council's Data Retention Policy and an example privacy notice are also attached for

information. The Council's Data Retention Schedule is currently being updated and will be added to the data protection information available on the website shortly.

- 3.2 There have been no reportable data breaches arising within South Staffordshire Council since the last report. There was a data incident, which was widely reported in the press, involving Capita and this did include some South Staffordshire information. The Council did notify the Information Commissioner regarding this matter, although the responsibility rested with Capita. The investigation undertaken by Capita was unable to establish if the data had been subject to unauthorised access. The Council provided updates to residents via the Council's website.
- 3.3 More recently, the Electoral Commission has been subject to a cyber-attack, with access to copies of electoral registers from 2014-2022 being obtained. Information on this is available on the Council's website for residents.
- 3.4 The Council has invested in strengthening its cyber security provision and is moving to a cloud-based solution where possible. Regular vulnerability testing is undertaken.
- 3.5 There have been a number of small-scale data breaches within the Council. These are usually down to human error, with an email or letter being sent to the wrong recipient. None of these incidents have been reportable or posed a risk of harm to the data subjects such that notification to them was necessary. It is an indication of the high awareness of data protection requirements within the workforce that there are reported incidents. Such incidents are reported to the Data Protection Officer in a timely manner, allowing an assessment of risk to be undertaken, mitigation measures to be employed and a decision on notification to be taken within the 72-hour statutory timescale.
- 3.6 Training was provided to members on data protection shortly after the May 2023 elections. A session on data protection is scheduled for managers within the Council in October 2023. This is in addition to the mandatory training module that all staff are required to complete on a two-yearly basis. Regular reminders on data protection are also given in the Council's News Round-Up to ensure awareness is maintained.

5.0 IMPACT ASSESSMENT – ADDITIONAL INFORMATION

None

6.0 PREVIOUS MINUTES

None

7.0 BACKGROUND PAPERS

Data Protection Policy, Data Retention Policy, Privacy Notice, Data Retention Schedule

8.0 RECOMMENDATIONS

- 8.1 That Members approve the policy attached as Appendix 1.