

TITLE OF REPORT: **Information Governance Framework & Data Protection Policy**

REPORT OF: **Mike Barker, Strategic Director, Corporate Services and Governance**

Purpose of the report

1. To ask Cabinet to consider and recommend to Council the newly drafted Information Governance Framework (Appendix 2) and Data Protection Policy (Appendix 3) for implementation across the Council.

Background

2. The 2020/21 internal audit of Information Governance and Data Protection identified there was no overarching Information Governance Framework covering the management of information across the Council. Further, there was no policy specifically referring to the Council's compliance with data protection obligations.
3. The DPO team was tasked with drafting the Information Governance Framework and Data Protection Policy.
4. The Information Governance Framework is the primary statement of the Council's approach to information management.
5. The Framework covers all personal, confidential and corporate information that is created, received, managed, shared and disposed of by the Council.
6. The Data Protection Policy sits below the Framework and sets out the management of personal data by the Council. The Policy details the Council's legal obligations in line with the UK GDPR and Data Protection Act 2018.
7. It will apply to everyone – Councillors, employees, students, apprentices, volunteers, contractors and other third parties handling council information

Proposal

8. It is proposed both documents are agreed by Cabinet and recommended to Council.

Recommendations

9. Cabinet is asked to recommend Council to approve the Information Governance Framework and the Data Protection Policy as attached at appendices 2 and 3 and for both documents to be implemented without delay.

For the following reason:

To have an effective Information Governance Framework and Data Protection Policy.

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APPENDIX 1

Policy Context

1. The Information Governance Framework and Data Protection Policy are intended to demonstrate the Council's compliance with good data management and legislative obligations in respect of the handling of personal data.

Background

2. The Council should have a public facing document which demonstrates the principles behind how it processes, stores and destroys information.
3. The Information Governance Framework will be the Council's overarching document relating to all information held by the Council.
4. The Data Protection Policy, as with other policies dealing with how information is handled by the Council, sits below the Framework and is solely concerned with how the Council manages personal data. This document allows the Council to demonstrate its compliance with the data protection principles as set out in the UK General Data Protection Regulation.
5. The Information Governance Framework sets out broad areas:
 - a) The purpose and scope
 - b) Guiding principles
 - c) IG structure
 - d) Roles and responsibilities and the title of the relevant officer
6. The Data Protection Policy describes compliance in greater detail:
 - a) The purpose and scope
 - b) Responsibilities
 - c) Objectives
 - d) Data Protection Principles
 - e) Special Category and criminal offence data
 - f) Data Protection Impact Assessments
 - g) Data Subject Rights
 - h) Technical features eg oversea transfers, automated processing
 - i) Training
 - j) Breach of policy
7. The DPO team within Legal and Democratic Services is responsible for providing advice and support with regards to all data protection matters. They handle all data breach reports and will liaise with the Supervisory Authority, the Information Commissioner's Office (ICO), should that be necessary. The team can also manage data protection complaints or requests to exercise data subject rights from members of the public.
8. Both documents will be the subject of an annual review to ensure they remain relevant and compliant with any changes in legislation.

Consultation

9. There has been no external consultation on this report.

Alternative Options

10. There are no alternative options.

Implications of Recommended Option

11. Resources:

- a) **Financial Implications** – The Strategic Director, Resources and Digital confirms there are no new financial implications arising from this report.
 - b) **Human Resources Implications** – There are no human resources implications arising from the report.
 - c) **Property Implications** – There are no property implications arising from this report.
12. **Risk Management Implication** – The IG Framework and Data Protection Policy were prepared with the primary aim of minimising risk of non-compliance with data protection legislation..
13. **Equality and Diversity Implications** – The Framework and Data Protection Policy contributes to the implementation of the Council's Equal Opportunities Policy.
14. **Crime and Disorder Implications** – There are no crime and disorder implications arising from this report.
15. **Health Implications** – There are no health implications arising from this report.
16. **Climate Emergency and Sustainability Implications** – There are no climate emergency or sustainability implications arising from this report.
17. **Human Rights Implications** – None
18. **Ward Implications** – None.
19. **Background Information** –
UK General Data Protection Regulation 2018 (UK GDPR)
Data Protection Act 2018