



Committee	Audit and Governance Committee
Date	11/03/2024
Subject	Annual Data Protection Plan 2024/2025
Cabinet Member	Councillor Vince Langdon-Morris, Cabinet Member with responsibility for Resources and Value for Money Councillor Tim Wilson, Assistant Cabinet Member for Resources and Value for Money Councillor Paul Ashton, Cabinet Member with responsibility for Corporate Services (Digital, Customer Services, HR and Assets)
Report Author and Head of Service	Siobhan Martin Head of Internal Audit siobhan.martin@eastsoffolk.gov.uk
Chief Executive	Chris Bally Chief Executive chris.bally@eastsoffolk.gov.uk
Key Decision?	No
Is the report Open or Exempt?	OPEN

Purpose/Summary

To review and approve the annual Data Protection Plan.

This report presents Members with an overview of the planned work to be undertaken from April 2024 to March 2025 by Data Protection services. The data protection services plan is based on annual core activities and project/initiatives identified as part of the 2023/24 Information Commissioner's Office (ICO) self-assessment.

The data protection services plan is carried out in line with and adhering to the legal obligations under both the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. The plan is fundamental to support the Council's foundations of corporate governance, risk, and control.

This report has been prepared in accordance with the Audit and Governance Committee's terms of reference to: Review the effectiveness of the system for monitoring compliance with laws and regulations and the results of management's investigation and follow-up of any instances of non-compliance

Recommendation(s)

That Audit and Governance Committee:

1. Reviews and considers and comments on the Annual Data Protection Plan 2024/25.

Strategic plan

How does this proposal support Our Direction 2028?

Environmental Impact	There are no environmental implications.
Sustainable Housing	There are no sustainable housing implications.
Tackling Inequalities	There are no inequalities implications.
Thriving Economy	The annual Data Protection Plan directly links to the Council's framework of corporate governance, which encompasses the Our Direction 2028 Strategic Plan and activities that support and enhance our thriving economy.
Our Foundations / governance of the organisation	<p>The annual Data Protection Plan is an overview of the Council's data protection activities over the financial year. The core responsibility on the Data Protection team is to help the organisation adhere to its legal obligations under UK GDPR and Data Protection Act 2018 by bringing a systematic, disciplined approach to improve the effectiveness of data protection arrangements within the Council.</p> <p>The entire annual Data Protection Plan directly links to the Council's framework of corporate governance, which encompasses the Our Direction 2028 Strategic Plan. Its activities and outcomes are essential to supporting and improving the governance environment, supporting the Council's technical controls, over applications, information, infrastructure, and</p>

	people, where applicable, which proactively contributes to delivering the Our Direction 2028 Strategic Plan.
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Justification for recommendations

1. Background

- 1.1. The Data Protection team forms part of the wider Internal Audit team but remains independent in its reviewing, advice, and reporting and therefore this is a separate plan to the Internal Audit Plan.
- 1.2. The Data Protection team is responsible for supporting the Council arrangements for data protection, providing advice and guidance in adhering to and complying with the Data Protection Act 2018 and UK GDPR.
- 1.3. The Head of Internal Audit has the strategic responsibility of Data Protection Officer. The Data Protection team support this role to ensure the Council's compliance with data protection legislation.

2. Introduction

- 2.1. The annual Data Protection Plan is to be considered by the Committee at its March meeting and details the work that will provide confidence to the Council in terms of ensuring that the Council is compliant with data protection legislation, and to minimise the risk of significant fines for non-compliance.

3. Proposal

- 3.1. An annual Data Protection Plan is required in order for the Head of Internal Audit/Data Protection Officer to provide confidence to the Council by ensuring that the Council is compliant with data protection legislation in the year to 31 March 2025.
- 3.2. The Data Protection Plan for 2024/25 will continue to identify weaknesses and/or non-compliance with UK GDPR and the Data Protection Act 2018, and to bring these to the attention of management.

4. Financial Implications

- 4.1. Non-compliance with UK GDPR and the Data Protection Act 2018 could result in possible fines by the ICO.

5. Legal Implications

- 5.1. The UK GDPR and the Data Protection Act 2018 are legal frameworks which all organisations nationally must adhere to. The annual Data Protection Plan evidences how the Council is meeting and adhering to its legal obligations under both pieces of legislation.
- 5.2. Data Protection actions completed in line with the above legislations are fundamental to support the Council's foundations of corporate governance, risk and control.

5.3. The annual Data Protection Plan is an essential component for the Council's compliance with the Data Protection Act 2018 and UK GDPR.

6. Risk Implications

6.1. Non-compliance with UK GDPR and the Data Protection Act 2018 could result in damage to citizens privacy, potential damage to the Council's reputation and possible fines by the ICO.

7. Options

7.1. There are no options to be considered in relation to this report.

8. Recommendations

8.1. That the Audit and Governance Committee reviews and considers and comments on the Annual Data Protection Plan 2024/25.

9. Reasons for Recommendations

9.1. To ensure the Committee fulfils its terms of reference and supports the data protection process.

10. Conclusions/Next Steps

10.1. To deliver the annual Data Protection Plan throughout 2024/25.

Areas of consideration comments

Section 151 Officer comments:

Not applicable

Monitoring Officer comments:

Not applicable

Equality, Diversity and Inclusion/EQIA:

Not applicable

Safeguarding:

Not applicable

Crime and Disorder:

Not applicable

Corporate Services implications:

(i.e., Legal, Finance, Procurement, Human Resources, Digital, Customer Services, Asset Management)

Financial

The annual Data Protection Plan directly links to the Council's framework of corporate governance, which encompasses the Our Direction 2028 Strategic Plan and activities that support the financial stability of the Council, where applicable.

Human Resources

The annual Data Protection Plan directly links to the Council's framework of corporate governance, which encompasses the Our Direction 2028 Strategic Plan and activities that support Officers training and to support Human Resources with disciplinary's should the need arise relating to data protection.

Digital

The annual Data Protection Plan directly links to the Council's framework of corporate governance, which encompasses the Our Direction 2028 Strategic Plan and activities that support the Council's technical controls over applications, information, infrastructure, and people, where applicable.

Legal

The UK GDPR and the Data Protection Act 2018 are legal frameworks which all organisations nationally must adhere to. The annual Data Protection Plan evidences how the Council is meeting and adhering to its legal obligations under both pieces of legislation.

Residents and Businesses consultation/consideration:

Not applicable

Appendices:

Appendix A	Annual Data Protection Plan 2024/25
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Background reference papers:

Date	Type	Available From
2018	UK GDPR	ICO
2018	Data Protection Act 2018	HM Government
2020	Our Direction 2028 - Strategic Plan	Head of Internal Audit
2023	ESC Corporate Risk Register	Head of Internal Audit