



Committee	Audit and Governance Committee
Date	08/07/2024
Subject	Annual Data Protection Report 2023/2024
Cabinet Member	<p>Councillor Paul Ashton, Deputy Leader and Cabinet Member with responsibility for Corporate Services (Digital, Customer Services, HR and Assets)</p> <p>Councillor Vince Langdon-Morris, Cabinet Member with responsibility for Resources and Value for Money</p> <p>Councillor Tim Wilson, Assistant Cabinet Member for Resources and Value for Money</p>
Report Author and Head of Service	<p>Siobhan Martin</p> <p>Head of Internal Audit</p> <p>siobhan.martin@eastsoffolk.gov.uk</p>
Chief Executive	<p>Chris Bally</p> <p>Chief Executive</p> <p>chris.bally@eastsoffolk.gov.uk</p>
Key Decision?	No
Is the report Open or Exempt?	OPEN

Purpose/Summary

To review the annual Data Protection Report 2023/24.

This report presents Members with an overview of work undertaken for the financial year from 2023/24 by the Data Protection team and Data Protection Officer on all Data Protection activities. Detailed statistical information is included within this report of the time and resources that have been allocated to this work during this period.

The activities detailed in the report have been 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 report is fundamental to demonstrate 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 the Audit and Governance Committee:

1. Reviews and comments on the annual Data Protection Report 2023/24.

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 Report directly links to the Council's framework of corporate governance, which encompasses the Council's strategic plan Our Direction 2028 and activities that support and enhance our thriving economy.
Our Foundations / governance of the organisation	<p>The annual Data Protection Report is an overview of the Council's data protection activities over the financial year 2023/24. The core responsibility on the Data Protection Officer and 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 Report directly links to the Council's framework of corporate governance, which encompasses the Our Direction 2028. Identifying strengths and weaknesses thus improving the governance environment, supporting the Council's technical controls, over applications, information, infrastructure, and people, where applicable,</p>

	which proactively contributes to delivering the Our Direction 2028.
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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 report to the Internal Audit Reports.
- 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 report is to be reviewed and considered by the Committee at its July meeting and demonstrates the proactive and supportive work carried out by the Data Protection team that will provide confidence to the Council in terms of ensuring that the Council is compliant with data protection legislation.

3. Proposal

- 3.1. The annual Data Protection Report is required to enable the Data Protection Officer to provide confidence to the Members that the Council has been compliant with data protection legislation in the year 2023/24.
- 3.2. The Data Protection Report for 2023/24 identifies positive outputs, compliance or non-compliance with UK GDPR and the Data Protection Act 2018 along with improvements and action plans where necessary and brings 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 fines by the ICO (Information Commissioners Office).

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 Report demonstrates how the Council has met and is adhering to its legal obligations under both sets of legislation.
- 5.2. Data Protection actions completed in line with the above statutes are fundamental to support the Council's foundations of corporate governance, risk, and control.

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 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 comments on the annual Data Protection Report 2023/24.

9. Reasons for Recommendations

9.1. To ensure the Committee fulfils its terms of reference and supports the Council's data protection processes.

10. Conclusion

10.1. This report demonstrates the outputs and results in relation to data protection activity in the financial year 2023/24.

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 report directly links to the Council's framework of corporate governance, which encompasses the Our Direction 2028 and activities that support the financial stability of the Council, where applicable.

Human Resources

The annual Data Protection report directly links to the Council's framework of corporate governance, which encompasses the Our Direction 2028 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 report directly links to the Council's framework of corporate governance, which encompasses the Our Direction 2028 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 report demonstrates how the Council has met and is adhering to its legal obligations under both pieces of legislation.

Residents and Businesses consultation/consideration:

Not applicable

Appendices:

Appendix A	Annual Data Protection report 2023/24
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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	Head of Internal Audit