



AUDIT & GOVERNANCE COMMITTEE

Monday, 10 July 2023

Subject	DATA PROTECTION STATUS UPDATE
Report by	Councillor Paul Ashton Cabinet Member with Responsibility for Corporate Services - Digital, Customer Services, HR and Assets
Supporting Officer	Siobhan Martin Head of Internal Audit siobhan.martin@eastsoffolk.gov.uk

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not applicable
Wards Affected:	All Wards

Purpose and high-level overview

Purpose of Report:

To provide Members with an overview of the work undertaken from April 2022 to March 2023 by the Data Protection team 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.

Options:

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

Recommendation/s:

That having considered the information in the report, the Audit and Governance Committee notes its contents.

Corporate Impact Assessment

Governance:

This report is being presented to the Audit & Governance Committee to inform Members of corporate governance arrangements specifically data protection, and in accordance with the Committee's terms of reference.

ESC policies and strategies that directly apply to the proposal:

The Data Protection report directly links to the Council's framework of corporate governance, which encompasses the East Suffolk Strategic Plan and all ESC policies and strategies that direct and manage East Suffolk Council activities.

Environmental:

There are no environmental implications.

Equalities and Diversity:

There are no equalities and diversity implications.

Financial:

The Data Protection report directly links to the Council's framework of corporate governance, which encompasses the East Suffolk Strategic Plan and activities that support the Maintaining Financial Sustainability Theme, where applicable.

Human Resources:

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

ICT:

The Data Protection report directly links to the Council's framework of corporate governance, which encompasses the East Suffolk Strategic Plan and activities that support

the Council's technical controls over applications, information, infrastructure and people, where applicable.

Legal:

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

Data Protection actions completed in line with the above legislations are fundamental to support the Council's foundations of corporate governance, risk and control.

Risk:

Non-compliance with UK General Data Protection Regulation and the Data Protection Act 2018 could result in personal distress to customers, potential damage to the Council's reputation and possible fines by the Information Commissioner's Office (ICO).

External Consultees: No external parties were consulted in the preparation of this report.

Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: <i>(Select only one primary and as many secondary as appropriate)</i>		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>

P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T05	Caring for our Environment		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
XXX	Governance		
XXX	How ESC governs itself as an authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>

How does this proposal support the priorities selected?

The Data Protection report is an overview of the Council's data protection activities over the financial year. The core responsibility on the Data Protection team is to ensure the organisation is in compliance with UK General Data Protection Regulation and the Data Protection Act 2018 by bringing a systematic, disciplined approach to improve the effectiveness of data protection arrangements within the Council.

The priority above that Data Protection links to most strongly is therefore governance, although the scope of governance and therefore Data Protection can extend to all Council activities and all activities that support the delivery of the East Suffolk Strategic Plan.

Background and Justification for Recommendation

1 Background facts	
1.1	<p>The Data Protection team forms part of the wider Internal Audit team but remains independent in its reviewing, advice and reporting. The Data Protection team is responsible for supporting the Council arrangements for data protection, providing support, advice and guidance in adhering to and complying with the Data Protection Act 2018 and UK General Data Protection Regulation.</p> <p>The Head of Internal Audit has the strategic responsibility of Data Protection Officer as the Council's lead for information governance. The Data Protection team support this role to ensure the Council's compliance with data protection legislation.</p>
2 Current position	
2.1	<p>The figures below demonstrate the proactive work and support carried out by the Data Protection team which ensure the Council's compliance with data protection legislation. The figures also demonstrate an increase in the complexity of data subject interactions, reporting of breaches, and provision of advice, guidance and training to officers across the Council. The resource required to process data protection activities is necessary to ensure that the Council is compliant with data protection legislation, and to minimise the risk of significant fines for non-compliance.</p>

3 How to address current situation

3.1	No elements to address; this report is for consideration and to provide information on the current situation.
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4 Reason/s for recommendation

4.1	To update the Committee on the work of the Data Protection for the period April 2022 – March 2023.
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Appendices

Appendices:

Appendix A	Data Protection Annual Report 2022-23
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Background Papers

None