

18th April 2024

DATA PROTECTION COMPLIANCE PROGRAMME UPDATE

Purpose

1. This paper updates Members on progress within WLGA with Data Protection compliance. This is a report for the financial year 2023- 24. In this year, the WLGA has continued to comply with its obligations as set out in the UK Data Protection Act 2018 (DPA) and the UK General Data Protection Regulation (UKGDPR). WLGA have consistently engaged with the Data Protection Officer to progress and refine processes and improve compliance.

Background

2. The compliance work set out within the Service Level Agreement for 2023/24 was successfully completed with a programme of continued work and support for 2024/25 planned.
3. As part of the Service Level Agreement for 2023/2024 an audit of Information Governance was carried out by the Data Protection Officer. The focus of the audit was to determine whether the WLGA had implemented policies and procedures to regulate the processing of personal data and that processing is carried out in accordance with such policies and procedures.
4. Members of the Audit Committee are asked to note progress to date and recommendations for areas of focus for 2024/25.

Progress

5. The WLGA's annual registration with the Information Commissioners' Office remains up to date with a review of this due before 5 May 2024.
6. All WLGA Data Protection policies and procedures remain up to date with current UK law, these were reviewed during November 2023.
7. The WLGA Privacy Policy has been reviewed and remains up to date. It can be accessed on the WLGA website: [WLGA Privacy Notice - WLGA Service](#). Service specific notices should be drafted and published to further enhance transparency and improve compliance with the principles of the UK GDPR.

8. Data Protection Impact Assessments are being used and officers' engagement with these processes continues to improve, enabling privacy implications to be considered at the offset of any proposed changes which involve processing of personal data.
9. Two data protection incidents were reported to have occurred during the financial year however neither met the threshold which required formal notification to the Information Commissioner. Appropriate actions were recommended to mitigate the risk of reoccurrence.
10. One individual right request was received during the financial year. This was responded to in full within the statutory deadline.
11. An innovative data protection and cyber security awareness campaign was launched during Quarter 2 with our training partner Bob's Business. The training focuses on key learning areas identified via an all-staff vulnerability assessment. The assessment identified where the organisation needed to provide further training to improve data protection and cyber security skills.
12. All staff have been enrolled in the e-learning training, with new starters continuing to be enrolled allowing WLGA to demonstrate its controls with providing training to all staff. To date the following modules have been completed and compliance is reflected within the table:

Module Title	Month	Compliance
Course 1 – Perfect password / Password Safety Training	October	81%
Course 2 - Protecting Data	November	69%
Course 3 – Think before you click/Phishing awareness	January	69%
Course 4 – Email Etiquette	February	53%
Course 5 – Clear workspaces	March	49%

All modules must be complete by the end of June 2024.

13. As part of the Service Level Agreement for 2023/2024 an audit of Information Governance was carried out by the Data Protection Officer. The audit's aim was to identify any gaps in compliance and provide recommendations to enhance compliance. The audit was based on the Information Commissioner Office (ICO) accountability framework. The review was undertaken in September and October 2023 through discussion with key officers, examination of systems and review of supporting documentation.
14. The Information Governance Audit covered the following key areas:
 - Leadership and Oversight
 - Policies and Procedures
 - Training and Awareness
 - Individual Rights
 - Transparency
 - ROPA & Lawful Basis

- Contract and Data Sharing
- Risks and Data Protection Impact Assessments (DPIA's)
- Records Management & Security
- Breach Response & Monitoring

15. Based on the work undertaken and the samples tested during the audit, it was considered that Information Governance needs improvement and that processes are only partially effective in addressing risk.

This rating was allocated, as general assurance could not be provided in respect of many objectives of the audit, and there were many areas requiring significant improvement / management attention. An audit report and action plan were presented to SMT in Quarter 4 2023/24. This action plan will support the WLGA with achieving the Cyber Essentials plus accreditation which remains an outstanding action.

16. A new SharePoint area with guidance notes and resources has been published and is available to all staff. The following pages have been made available:

- Data Protection Impact Assessments.
- Records Management.
- Data Protection Incidents.
- Information Requests.
- Hybrid working.

Next steps

17. WLGA Senior Management Team should consider relevant controls and actions which could be taken to ensure that all staff complete mandatory training before the end of June 2024. This may include consideration of measures such as temporarily locking of system access to ensure all staff complete required training.

18. WLGA Senior Management Team to support the creation of a Training and Communication strategy which will focus on continued training and educational awareness for staff during 2024/25 and onwards. This will include mandating requirements for staff training and supplementing training with targeted awareness raising.

19. Following completion of the Information Governance Audit an action plan has been agreed between the Data Protection Officer and Senior Management Team. Work is underway to fulfil the recommendations throughout 2024/25.

20. WLGA need to identify and agree areas that require bespoke privacy notices. Once drafted these should be published online.

21. WLGA will need to establish a work plan for obtaining the Cyber Essentials Plus. The Cyber Essentials accreditation is required as part of work delivered on

behalf of the Welsh Ministers. Certification with the plus IASME controls will provide additional assurances of the strategic information governance processes in place within WLGA. This however cannot be achieved without completion of the Information Governance action plan due to the policy/evidence requirements of the Cyber Essentials Plus certification. This approach has been agreed with and is supported by ICT.

22. An Information Asset Register and Record of Processing Activity (RoPA) review is underway as part of the Information Governance action plan. Officers are required to conduct a review to ensure continued accuracy of personal data assets and to capture information in respect of any data transfers outside of the UK.

Recommendation

23.1 Members are invited to note the progress to date and recommended next steps.

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