

7th October 2021

DATA PROTECTION COMPLIANCE PROGRAMME UPDATE

Purpose

1. This paper updates Members on progress since the last report to the WLGA Audit Committee in October 2020.

Background

2. During the past 12 months focused support has been provided to WLGA on the creation of a record of processing activity, together with supporting new ways of working and any privacy implications associated with these.
3. Members of the Audit Committee should note and understand how WLGA are managing any associated data protection and privacy implications associated with a number of new ways of working.

Progress

4. A Record of Processing Activity has been developed and the personal data assets processed by WLGA will be reviewed during the autumn to coincide with the office accommodation move and officers' reviews of data sets held.
5. The WLGA office accommodation move has provided an opportune time for data held to be reviewed and in some cases has enabled data to be appraised and securely deleted, and in others for digitisation processes to be put in place which will enable management of records in the future to be far more easily achieved.
6. The Senior Management Team have signed off all recommended actions provided as part of Data Protection Impact Assessments completed during the first quarter of 2021/22. These assessments have been focused on the implementation of use of Zoom and enhancing features available via Microsoft Teams.
7. It is essential that I emphasise the importance of ensuring that data protection controls are appropriately managed. There have been occasions where there has been a desire to change technical and security controls in place, some of

which are recommended at a national and international level. Members should note changes such as this could put the WLGA at increased risk of a data security risk and increase the likelihood of enforcement action being taken by the Information Commissioner in the event of a data security incident occurring.

8. All staff have previously been provided with e-learning training on GDPR, with new starters continuing to be enrolled onto the training to ensure at all times WLGA are able to demonstrate its controls with providing training to all staff. Current compliance with completion of the training is 92%, with only a very small number of staff still to enrol and complete the training.
9. The recent agreement signed between the WLGA and Welsh Ministers in respect of the Elected Members Leadership Programme 2022-25 requires that the WLGA obtain Cyber Essentials Certification. The WLGA will need to comply with these requirements and obtain certification to satisfy the technical and organisational requirements of this agreement and ensure this is annually certified.
10. No Data Protection security incidents have occurred during the past 12 months which have required notification to the Information Commissioners Office.
11. A new WLGA Privacy Policy, together with service bespoke notices have been developed, however these have not been published. I recommend that WLGA agree the final decision on request processes to enable these to be made available, ensuring WLGA are able to demonstrate how they comply with the transparency requirements of the UK GDPR.
12. A number of new policies and procedures, such as the adoption of Clear Desk principles and introduction of new printing controls, will further strengthen the WLGA's governance controls.

Next steps

13. A review of the WLGA data protection policies will be completed during October 2021 to ensure their continued compliance with the Data Protection Act and any changes which may be impacted as a result of Brexit. These will be provided to Senior Management Team for agreement.
14. I would recommend that WLGA take steps to ensure that those staff still to complete e-learning training do so at the earliest opportunity and impose a mandatory deadline for completion by all staff. I also recommend that WLGA agree to the roll out of new e-learning training from January 2022 to continue to ensure they can demonstrate organisational and technical controls in place.
15. A communication programme will be established to remind services of the importance of early engagement with changes to processing activities which should be considered through Data Protection Impact Assessments. This will

help improve accountability controls and avoid privacy risks only being considered at implementation stages of new projects or changes to processes.

16. To enhance data protection assurance controls I recommend that the WLGA should work towards obtaining the Cyber Essentials Plus Information Governance certification over the next 12 months. This accreditation will provide additional assurances of the strategic information governance processes in place within the organisation.

Recommendation

17. **Members are asked to:**

17.1 Note the progress to date and recommend next steps.

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