

EAST HERTS COUNCIL

LOCAL JOINT PANEL - 17 JUNE 2015

HUMAN RESOURCES COMMITTEE - COMMITTEE 8 JULY 2015

REPORT BY: HEAD OF INFORMATION, CUSTOMER AND PARKING SERVICES

POLICY FOR HANDLING PERSONAL DATA

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To approve the new 'Policy for Handling Personal Data – Policy Statement No 10 (Issue No. 2)' which replaces 'Policy No 10 - Data Protection and Information Policy'.

<u>RECOMMENDATIONS FOR LOCAL JOINT PANEL:</u>	
That:	
(A)	The new Policy for Handling Personal Data be recommended for approval
<u>RECOMMENDATIONS FOR HUMAN RESOURCES COMMITTEE:</u>	
That:	
(A)	The new Policy for Handling Personal Data is approved

1.0 Background

1.1 Following an external audit of the Council's data protection (DP) compliance, Corporate Management Team (CMT) adopted an Information Security Framework and agreed priorities for DP policy development and implementation 25 Sept 2012. This included the prioritised review of policies to ensure best practice in compliance with the Data Protection Act.

1.2 The Council's utilised the Data Protection and Information Policy

Statement – Policy Statement No. 10 (Issue No 1) which was established to ensure internal compliance with the Data Protection Act 1998 for Human resources purposes as applicable to all employees in relation to their obligations under the Data Protection Act when undertaking their duties.

1.3 This policy has been reviewed in the light of the Council's Data Protection Action Plan to ensure that it is re-written to be appropriate for all officers and their responsibilities whilst undertaking their duties.

2.0 Report

2.1 Data Protection and Information Policy Statement – Policy Statement No. 10 (Issue No 1) focussed largely on how the specific legal requirements of the Data Protection Act applied to the management of employee and perspective employee personal data. Whilst accurate and appropriate the policy did not therefore transfer across to all services and employees in the undertakings of their duties.

2.2 The **new** Policy for Handling Personal Data – Policy Statement No 10 (Issue No 2), presented in Essential Reference Paper B, is a policy applicable to all employees, services and functions of the Council to ensure the requirements of the Data Protection Act are met.

2.3 All services undertake an annual risk assessment process as part of the service and financial planning process. Data protection risk assessment is embedded within this process, with all services needing to consider their data protection risks and any mitigating actions that they may put in place associated with the operations of their service. These are reviewed annually by the Digital Media and Information Management team. These mitigating actions may include local policy and procedures with associated service based training as appropriate.

2.4 All staff will be made aware of the new policy following its adoption including Team Update and a staff briefing session. Guidance, computer based training and procedures are available on the intranet www.eastherts.gov.uk/intranet/dataprotection.

2.5 Support will be available from the Information team on all aspects of the policy. The council will provide a basic standard of training at the corporate level to introduce the Data Protection Principles

and the general responsibilities of all employees. Heads of Service, responsible for the Data Protection compliance within their services, will ensure their managers and team members complete the corporate training provided and have training about any specific service risks and the mitigating actions/processes in place in their services. The Information team will support this with team workshops when required.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

East Herts Council Data Protection and Information Policy Statement – Policy Statement No 10 (Issue No 1)

Data Protection Annual Review – Corporate Business Scrutiny 27th May 2014

Data Protection Update – Corporate Management team 16th December 2014

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