

Southend-on-Sea Borough Council

Agenda
Item No.

Report of Corporate Director, Support Services

to
Audit Committee

on
27th March 2013

Report prepared by: John Williams
Head of Legal & Democratic Services

Data Protection Audit Report by ICO

A Part 1 Public Agenda Item

1. Purpose of Report

To report on the outcome of an audit carried out by the Information Commissioner's Office ("the ICO") of how the Council processes personal data pursuant to the Data Protection Act 1998 ("the DPA"). A report in the same terms has already been submitted to Cabinet.

2. Recommendations

- 2.1 That the report of the Information Commissioner's Office following an audit of how the Council processes personal data be noted.
- 2.2 That the overall conclusion of "Reasonable Assurance" (with "High Assurance" in respect of requests for personal data) and the agreed Action Plan be noted.

3. Background

- 3.1 The ICO is responsible for enforcing and promoting compliance with the DPA.
- 3.2 The ICO approached the Council in December 2011 to undertake a consensual audit of how the Council processes personal data under the DPA. The ICO regularly carries out such audits of large organisations to ensure compliance with the DPA. The Council welcomed the audit to ensure that its policies and procedures for processing data met its obligations under the DPA, and to identify any areas for improvement.
- 3.3 The audit was undertaken by officers of the ICO at the Civic Centre between 13th and 15th November 2012. Preparing for and undertaking the audit involved a great deal of work by a number of Council officers across all service areas.

- 3.4 The audit looked in general terms at how the Council processes personal data, the policies and procedures that apply and the training of staff. There was a particular focus on:
- Records Management (manual and electronic);
 - Security of Personal Data; and
 - Requests for Personal Data and how these are processed.
- 3.5 The report of the ICO has now been received and this is attached at **Appendix 1**. The report consists of three elements:
- The Executive Summary which has been published on the ICO's website;
 - The main body of the report; and
 - The Action Plan, which the Council has agreed.
- 3.6 ICO audit reports are graded into 4 categories, High Assurance, Reasonable Assurance, Limited Assurance and Very Limited Assurance.

I am pleased to report that the Council achieved an overall grading in the second highest category "Reasonable Assurance" and in the area of processing requests for personal data the Council received "High Assurance".

- 3.7 Inevitably the ICO audit picked up some areas where the Council needs to make improvements. The Action Plan which forms part of the report sets out what is to be done and the timescales. Arrangements are in place to ensure delivery of the actions and the ICO will also be reviewing progress in August 2013.

4. Corporate Implications

- 4.1 Contribution to Council's Vision & Corporate Priorities

Excellent Council

- 4.2 Financial Implications

No significant financial implications

4.3 Legal Implications

The Council is subject to obligations under the DPA and the audit report specifically addresses compliance.

4.4 People Implications

No significant people implications

4.5 Property Implications

None

4.6 Consultation

None

4.7 Equalities and Diversity Implications

No significant implications

4.8 Risk Assessment

The Council needs to comply with the matters set out in the Action Plan to ensure full compliance with the DPA.

4.9 Value for Money

No issues

4.10 Community Safety Implications

No issues

4.11 Environmental Impact

No issues

5. **Background Papers**

None

6. **Appendices**

Appendix 1 Data Protection Audit Report by ICO