



Full Council Meeting – 29 March 2018

Agenda Item - CC1849/18

General Data Protection Regulations

Introduction

Members will recall that at the Council meeting held on 30 November 2017, Council was briefed in regard to the new General Data Protection Regulations that become effective from 25 May 2018 (Minute CC1803/17).

This report advises the Council of developments and proposes the use of an external service to provide the necessary data protection officer service.

Discussion

The Supporting Paper to the Council's meeting on 30 November 2017 provided the background to the General Data Protection Regulations (GDPR) which will have a have an impact on this Council.

Council was advised that a Data Protection Officer, a role which is different to the Data Protection Controller could not be the Clerk as there is an inherent conflict of interest with the Clerk performing both roles.

During the budget discussions for 2018/19 budget, Council included a figure of £11,200 for year one for the provision of an external data protection service. The budget was agreed at Council on 21 December 2017.

One of the recommendations from the Council meeting in November was that the Clerk would discuss external sharing options with other Parish Council's within the TRDC district.

Accordingly, the Clerks within the TRDC area have been working together to find a suitable company that can provide the necessary level of support to fulfil the task on a cost effective basis without burdening the Clerks with excessive administration. The Clerks have identified a company called DPO Centre Ltd who have demonstrated their ability to provide the necessary service to fulfil the obligations of the GDPRs.

The DPO Centre will:

- Carry out an Impact Assessment in order to gain an understanding of the scope of the data held. This would be undertaken as a group with the other Parish Council's in the TRDC area given the common aspects of work undertaken but will also lead to identifying datasets specific to each Council;
- Identify 3rd party data processors to whom a confirmation of compliance questionnaire will be issued in order for them to confirm their level of GDPR compliance for the DPO Centre to confirm the Council's compliance;
- Provide a comprehensive report highlighting specific issues for each dataset together with specific recommendations regarding further staff/Councillor awareness, training and documentation requirements, process and procedure changes, additional security measures and data encryption solutions. This

report will form the foundation of the 'accountability' requirement detailed in the legislation;

- Deal directly with queries from members of the public regarding data protection issues;
- Provide an ongoing outsourced Data Protection Officer service most of which would be fulfilled through periodic questionnaires to enable them to monitor activities and update accountability and compliance documentation.

Following joint negotiations by the Parish Councils with the company they have agreed given the shared arrangement to carry out the work for a total sum of £13,680 for the first year and £7,680 for subsequent years. However, as Abbots Langley and Chorleywood Parish Councils have the most assets and therefore the most data, it has been proposed that the annual fees for both these Parishes is set at £3,750 each in the first year. Croxley Green's figure would be £2,750 for year one, Watford Rural would also be £2,750 and for Sarratt and Batchworth £350 each.

It should be noted that although this is significantly less than the provision included in the Council's budget (£11,200), the consequences of the way this Council holds, stores and destroys data will be affected and may require new secure storage facilities, IT software and office equipment.

Recommendation:

- That the Council appoints DPO Centre Ltd to provide the Data Protection Officer and support service at a cost of £2,750 for year one;
- The Clerk is given delegated authority to purchase the necessary office equipment to safeguard data.

A handwritten signature in black ink, appearing to read 'David Allison', with a long horizontal line extending to the right from the end of the signature.

David Allison
Clerk to the Council
21 March 2018