

Committee(s)	Dated:
Audit and Risk Committee IT Sub Committee Establishment Committee Policy and Resources Committee	6 March 2018 23 March 2018 9 April 2018 12 April 2018
Subject: Data Protection Policy	Public
Report of: Michael Cogher, Comptroller and City Solicitor	For Decision
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Summary

This report presents for consideration and adoption a revised Data Protection Policy for the Corporation (excluding the Police) in place of the current policy in preparation for the implementation of the General Data Protection Regulation on 25th May this year.

Recommendation

Members are asked to:

Approve and adopt the revised Data Protection Policy set out in Appendix 1 with effect from 25th May 2018.

Main Report

Background

1. The current data protection regime is based on an EU Directive from 1995 and implemented in the UK by the Data Protection Act 1998. Since then there have obviously been significant advances in IT and fundamental changes to the ways in which organizations and individuals communicate and share information.
2. As a result, the EU has introduced updated and harmonized data protection regulations known as the General Data Protection Regulation (“GDPR”) which is due to come into effect on 25 May 2018.
3. The Corporation is currently reviewing all its relevant policies and procedures to ensure it is compliant with the requirements of GDPR.

The Data Protection Policy

4. The proposed revised policy is set out in Appendix 1.
5. GDPR builds on and strengthens the current data protection requirements and introduces a number of new concepts.
6. The requirement to have a data protection policy arises from the current and strengthened requirements to ensure appropriate technical and organisational measures are in place to ensure the confidentiality, integrity and security of personal data and for greater transparency.
7. The revised Data Protection Policy is designed to be a short and concise overview of the Corporation's commitment to its obligations under GDPR with references to appropriate policies and procedures. It is self-explanatory and is intended to meet accepted good practice in terms of brevity and clarity.
8. It incorporates the revised data protection principles (six down from eight) and references to the expanded rights of data subjects, greater transparency requirements and privacy by design and default.
9. The obsolete current policy which dates from 2001 is set out in Appendix 2 by way of comparison.
10. Once in effect the Policy will be made available on the Website and supported by a brief guide detailing how it is different from the obsolete policy and the implications for users, as defined in the policy. It will be reviewed annually by the Data Protection Officer who will make appropriate recommendations for change (if any) to Committee.

Conclusion

11. The revised Policy is part of the Corporation's commitment to GDPR compliance and is recommended for adoption.

Appendices

Appendix 1 – Proposed Data Protection Policy
Appendix 2 – Current Data Protection Policy (2001)

Background Papers

None

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