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| <b>Subject:</b>           | General Data Protection Regulation (GDPR)                          |
| <b>Date:</b>              | 18 <sup>th</sup> May 2018  |
| <b>Reporting Officer:</b> | John Walsh, City Solicitor   |
| <b>Contact Officer:</b>   | Sarah Williams, Programme Manager; Robert Corbett, Records Manager |

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| <b>Restricted Reports</b>                                |   |
| <b>Is this report restricted?</b>                        | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| <b>If Yes, when will the report become unrestricted?</b> |   |
| <b>After Committee Decision</b>                          | <input type="checkbox"/>  |
| <b>After Council Decision</b>                            | <input type="checkbox"/>  |
| <b>Some time in the future</b>                           | <input type="checkbox"/>  |
| <b>Never</b>   | <input type="checkbox"/>  |

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| <b>Call-in</b>                               |   |
| <b>Is the decision eligible for Call-in?</b> | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |

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| <b>1.0</b> | <b>Purpose of Report or Summary of main Issues</b>   |
| 1.1        | The purpose of this report is to update Members on the preparations by the Council for the new General Data Protection Regulation (GDPR) which comes into force on 25 <sup>th</sup> May 2018.        |
| <b>2.0</b> | <b>Recommendations</b>   |
| 2.1        | The Committee is asked to: <ul style="list-style-type: none"><li>• Note the contents of this report</li><li>• Attend the GDPR awareness training</li></ul>   |
| <b>3.0</b> | <b>Main report</b>   |
| 3.1        | <u>Key Issues</u><br>The new EU General Data Protection Regulation will replace the current Data Protection Act 1998 and aims to make it easier for people to control their personal data while also |

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|     | <p>making it easier for businesses by having one single set of data protection rules across the EU. The Regulation will apply in the UK regardless of Brexit through the new Data Protection Bill which is presently going through Parliament.</p>   |
| 3.2 | <p>The GDPR introduces stronger rules around the protection of personal data. The key changes of the Regulation are:</p> <ul style="list-style-type: none"> <li>• <b>Much higher fines:</b> currently the Information Commissioner’s Office can issue a Monetary Penalty Notice of up to £500,000 for serious breaches of the Data Protection Act; this will now increase to up to 4% of global annual turnover for the preceding year;</li> <li>• <b>Governance:</b> increased responsibility and accountability in organisations on how personal data is collected and processed; carrying out Data Protection Impact Assessments in certain circumstances; designating a Data Protection Officer; notifying the regulator of any data breaches;</li> <li>• <b>Privacy notices:</b> privacy notices stating the lawful basis for processing personal data must include certain information</li> <li>• <b>Consent:</b> individuals must expressly give consent (if consent is the sole lawful basis)</li> <li>• <b>Shorter time for processing subject access requests:</b> from 40 working days to one calendar month; new ground for refusing to comply if vexatious or excessive request.</li> <li>• <b>New rights for individuals:</b> eg the right to receive data electronically in a commonly used format; right to easily transfer data from one service provider to another (data portability); right to have inaccurate data corrected; right to be informed of a data breach;</li> </ul> |
| 3.3 | <p><b>Preparations across the organisation</b></p> <p>To date a personal data audit across the organisation has been completed; a mandatory staff training programme is currently being delivered; and four key workstreams of preparation work are underway across the departments.</p>   |
| 3.4 | <p><b>Contact lists (where the lawful basis being relied on is consent)</b></p> <p>Marketing and Corporate Communications is in the process of developing a re-engagement campaign to raise awareness that we require people to register their details with us and explicitly give us their consent for us to contact them. Other organisations are rolling out similar campaigns eg Manchester United’s <i>Stay United</i> and Ulster University’s <i>Tick the Box</i>. Care will have to be taken to ensure that the re-engagement campaign reaches all sections of our contacts, for example, there is a page outlining the GDPR in the latest edition of City Matters.</p>   |

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| 3.5 | <p><b>Training for Members</b></p> <p>The Information Commissioner’s Office recognises that councillors are likely to have three different roles:</p> <ol style="list-style-type: none"> <li>1. As a member of the council, for example, as a member of a committee</li> <li>2. A representative of constituents of their ward, for example, in dealing with complaints</li> <li>3. They may represent a political party, particularly at election time</li> </ol> <p>Training sessions are being held this month for Members, <i>in your capacity as a Member of the council</i>. A video of the training will be available afterwards to watch on the Members’ Portal. By way of reminder, as already emailed to Members, the details of the sessions are:</p> <ul style="list-style-type: none"> <li>• Wednesday 16 May at 12.30pm, Lavery Room</li> <li>• Thursday 17 May at 12.30pm, Lavery Room</li> <li>• Tuesday 22 May at 5.00pm, Lavery Room</li> </ul> |
| 3.6 | <p><b>Governance arrangements</b></p> <p>The Council must appoint a Data Protection Officer. It is planned to bring a report to SP&amp;R Committee in the coming months to confirm the governance arrangements required under the new GDPR.</p>   |
| 3.7 | <p><u>Financial &amp; Resource Implications</u></p> <p>This work is being co-ordinated by a project team with staff from the Information Governance Unit, Digital Services, AGRS and Programme Management with additional help from Marketing and Corporate Communications, Legal Services, Corporate Procurement Services and Corporate HR.</p>  |
| 3.8 | <p><u>Equality or Good Relations Implications</u></p> <p>There may be implications for some section 75 groups regarding the roll-out of the re-engagement campaign which will be identified and addressed through the re-engagement campaign.</p>   |
| 4.0 | <p><b>Appendices – Documents Attached</b></p>   |
|     | <p>None</p>   |