

**Decision Maker:** Governance & Audit Committee

**Subject:** Information Commissioner's Office Data Protection Audit  
Recommendations & Proposed Actions

**Date of decision:** 27<sup>th</sup> January 2012

**Report from:** Michael Lawther City Solicitor and Strategic Director

**Report by:** Peter Harding Corporate Information Governance Officer

**Wards Affected:** All

**Key decision (over £20k)** N/A

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## 1. Summary

22 recommendations have been completed out of the 35 recommendations following the Information Commissioner's Office (ICO) Data Protection Audit. The remainder are in progression.

## 2. Purpose of report

To update Members on the progress of the Information Commissioner's Office audit findings.

## 3. Background

Following a series of Data Security Breaches reported to the Information Commissioner's Office (ICO), PCC was required to sign an undertaking, agreeing to comply with the Data Protection Act. We subsequently agreed that a consensual Data Protection Audit would be carried out by the ICO which focused on the following areas

- Data Protection Governance
- Training
- Records Management (manual & electronic) – primarily in Social Care
- Requests for Personal Data- primarily in Social Care

The Audit contains 35 recommendations but the overall opinion was that PCC offered "reasonable assurance" that processes and procedures are in place and being adhered to but identified some areas for improvement to reduce the risk of non-compliance with the Data Protection Act.

## 4. Recommendations

It is recommended that Members of the Governance & Audit Committee:

4.1 Note the completion of the Audit recommendations implemented since August 2011;

4.2 Note the status and progress of the remaining recommendations.

**5. ICO recommendations**

Progress of implementation of recommendations has been good and on time.

The attached report identifies actions undertaken and the status of the recommendation using the Red, Amber, Green denomination.

- Red – likelihood of recommendation not being completed
- Amber – satisfactory work in progress
- Green – complete

22 recommendations have been completed including those where previously it was determined no PCC action required these have been evaluated to confirm that position.

11 are Amber where satisfactory progress is being made and the likelihood of implementation is high.

2 are Red (these are interrelated) and have some reliance on Knowledge Management work stream within the Transformation programme.

**6. Equality impact Assessment**

An equality Impact Assessment is not required as this only an update report.

**9. Head of legal services' comments**

*Failure to implement recommendations may cause another breach leaving PCC vulnerable to enforcement action by the ICO. The implication of this is that there could be a financial penalty imposed on PCC.*

**10. Head of finance's comments**

N/A - no deviation from G&A report presented 30<sup>th</sup> June 2011 and 29<sup>th</sup> September 2011

11. Signed off:

pp Michael Lawther Strategic Director & City Solicitor

**Appendices:**

ICO Audit Recommendations

The recommendation(s) set out above were approved/approved as amended/deferred/  
rejected by.....on.....

.....  
Signed by: