

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2016-17

**DEMOCRATIC SERVICES
COMMITTEE**

5th October 2016

AGENDA ITEM. 4
PROPOSED MEMBER DATA PROTECTION TRAINING

REPORT OF THE GROUP DIRECTOR, CORPORATE AND FRONTLINE SERVICES

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1. PURPOSE OF THE REPORT

The purpose of this report is to seek the Committee's support in respect of the delivery of essential training and awareness for Members on Information Management, with a particular emphasis on handling personal data and compliance with the Data Protection Act 1998.

2. RECOMMENDATIONS

It is recommended that Members:

- 2.1 Note the contents of the report; and
- 2.2 Support and approve the proposal to provide training to Members on Data Protection matters as outlined in this report.

3. BACKGROUND

Data Protection Act

- 3.1 The Data Protection Act 1998 (DPA) is based around eight principles of good information handling. These principles give people specific rights in relation to their personal information (e.g. how it is used and stored) and place certain obligations on those that are responsible for processing it.
- 3.2 A data controller is a person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal information are, or are to be, processed. The Council is a data controller for the purposes of the DPA.

- 3.3 The Information Commissioner's Office (ICO) is the public body that upholds information rights in the public interest, promotes openness by public bodies and data privacy for individuals. It regulates the use of the DPA by data controllers.
- 3.4 The ICO has powers to take action to change the behaviour of organisations and individuals that collect, use and keep personal information, including criminal prosecution, non-criminal enforcement and audit.
- 3.5 The ICO also has the power to serve a monetary penalty notice (of up to £500,000) on a data controller where there has been a serious breach of the DPA.
- 3.6 In order to reduce the likelihood of enforcement action, the ICO recommends that data controllers deliver regular training about handling and processing personal data and the data protection principles within its organisation.
- 3.7 To this end, all Council staff with access to ICT services are required to undertake mandatory e-learning training on information management and security. In addition the Council is rolling out a programme of face to face training for those staff who deal with highly sensitive personal information.
- 3.8 This training is important in order to ensure that all staff are aware of their responsibilities in respect of data protection and good information handling and can take steps to avoid information security breaches.
- 3.9 Due to the nature of the work that Members undertake they often have access to and process personal and/or sensitive personal information which must be processed in accordance with the DPA.
- 3.10 Members undertake several roles (as listed below), all of which require them to process personal information in a different capacity and adhere to different rules of the DPA;
1. As an elected/co-opted Member of the Council.
 2. As a representative of the constituents of their ward, for example, in dealing with complaints.
 3. As a representative of a political party.
- 3.11 The risks around information management are often heightened for an elected Member as a result of their public profile, media interest in their work and the sheer volume of correspondence exchanged with residents and organisations locally, regionally and nationally.

4. PROPOSALS

- 4.1 Whilst Data Protection awareness training was provided to Elected Members in March 2015, it is proposed that updated training be provided to all Elected Members so that they are clear on their roles and responsibilities for managing

personal information, ensuring on-going compliance with the DPA and minimising the risk of an information security breach and potential enforcement action by the ICO.

4.2 The following training is proposed:

- When: Wednesday 2nd November 2016
- Time: Immediately prior to full Council meeting
- Where: Council Chamber, The Pavilions, Clydach Vale
- Training will delivered by the Councils Information Management Team in conjunction with the ICO.

4.3 Following an evaluation of the success of the training, it is proposed that Data Protection training be incorporated into the induction programme for new Members and that refresher training is provided to existing members when required

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