



Committee and date

Audit Committee

25th November 2010

10.00 am

Item No

6

Public

INFORMATION COMMISSIONER'S OFFICE DATA PROTECTION AUDIT

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Summary

In May 2010, the Council invited officers from the Information Commissioner's Office (ICO) to discuss the process and procedures in place, following the reporting of two data security lapses. The ICO was invited to review the Council's compliance with the Data Protection Act (DPA) 1998 and related procedures, to identify areas for improvement, and to provide advice on good practice.

On the basis of the work performed, it is pleasing to report that the ICO considers current arrangements at Shropshire with regard to data protection governance and effective data security provide a reasonable level of assurance. There are clear processes and procedures in place and these are being adhered to. The ICO have proposed some further improvements in procedures, which form part of an agreed action plan for the Council. Implementation of these up to March 2011 will help to ensure full compliance with the DPA. A copy of the Executive Summary from the audit report is attached as Appendix A.

Recommendations

Members are asked to note the results of the Data Protection Audit and resulting proposed management action for further improvement in our arrangements for the protection and security of personal data.

Report

Background

1. The Council informed the ICO of two data security lapses, following which a number of actions have been taken to consistently improve the handling of sensitive and personal data. These include:
 - Mandatory information management training rolled out to all staff processing personal data;
 - Encryption of laptops and data sticks to prevent unauthorised access to data;
 - A review of processes for checking criminal records of staff and volunteers, and improvements to data security in relation to these;
 - Full risk assessments across all services, with improvement plans to ensure good information management governance, monitored through a strengthened Information Governance Group.
2. These and other actions demonstrate the seriousness with which the Council takes its Data Protection responsibilities.
3. In addition, senior council officers met with ICO Enforcement staff in May 2010, to discuss DPA and, following this, the ICO was invited to audit our DPA related procedures, identify areas for improvement, and provide advice on good practice.
4. The audit was conducted during September 2010. Compliance with the requirements of the DPA 1998 was assessed through a review of supporting documentation, observation of controls, evaluation of measures and working practices and interviews with staff located at Shirehall and Raven House, Market Drayton. Following this, the ICO have provided an audit report, and published an executive summary of the report on their website in early November 2010.

Issues

5. The Council has been assessed as offering a level of 'Reasonable Assurance' regarding its ability to meet data protection obligations. The audit has identified areas of good practice and advised on scope for improvement in existing arrangements. An action plan has been agreed with management and the ICO recognise that, when this is implemented, it should assist further in managing any identified risks. The ICO will contact the Council in May 2011 to confirm progress with the plan.

Financial Implications

6. Actions to date in relation to the management of information have been absorbed in current budgets and the ICO audit was conducted free of charge.

7. Any financial consequences as a result of the actions to be undertaken in response to the audit findings will be absorbed in approved budgets where possible, or be subject to further reports.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Shropshire Council Data Protection Audit Report V2.0.

Human Rights Act Appraisal

The recommendations contained in this report are compatible with the provisions of the Human Rights Act 1998.

Environmental Appraisal

N/A

Risk Management Appraisal

Failure to manage data and information safely in accordance with best practice and legislation has been identified as a strategic risk and activities are already underway or actioned to manage this risk.

Community / Consultations Appraisal

N/A

Cabinet Member

Keith Barrow, Leader of the Council (Brian Williams, Chairman of Audit Committee)

Local Member

N/A

Appendices

Appendix A – Shropshire Council Data Protection Audit Report, Executive Summary