

Board of Management

Performance, Remuneration & Nominations Committee

Date of Meeting	Monday 30 April 2018
Paper No.	PRNC3-G
Agenda Item	9
Subject of Paper	General Data Protection Regulations (GDPR) Update
FOISA Status	Disclosable
Primary Contact	Julia Henderson, Director of Corporate Support
Date of production	23 April 2018
Action	For Noting

1. Recommendations

Committee notes the progress made in preparations for the commencement of new data protection laws on 25 May 2018.

2. Purpose of report

To provide an update to the Board in relation to the progress made towards ensuring that the College has met all key compliance requirements by 25 May 2018 and to set out our plan for improving college compliance beyond that date.

This report does not restate the law and the key changes and implications which were covered in detail in a report to the Audit Committee on 13 September 2017. An amended risk management action plan for data protection was submitted to Audit Committee at its last meeting. The new Data Protection Policy will go to the Audit Committee for approval on 16 May 2018.

3. Strategic Context

In August 2017 the Senior Management team agreed their approach in relation to the new law:

To take the time to properly prepare for and comply with the new laws, both to avoid the risk of significant fines and reputational damage, but, and in many ways more importantly, to take advantage of the opportunity to improve our data handling, our information security systems and our compliance processes and to ensure that our contractual staff and student relationships are professional, robust and reliable.

The Brexit question

UK organisations handling personal data still need to comply with the GDPR, regardless of Brexit. A new UK Data Protection Act will shortly be in force.

4. Discussion

GDPR Readiness

A significant amount of work has been undertaken to date to ensure that we achieve compliance with the core requirements identified by the Information Commissioner's Office (ICO) in their 12 steps – Preparing for the GDPR. We are, in the main, on course to meet these requirements by 25 May 2018. Our readiness has been internally audited though the formal audit recommendations are not as yet available. During the audit process a number of recommendations were made and these have been acted upon. This audit report will go to the Audit Committee on 16 May 2018.

Broader Recommendations – Information Security and Data Management

As part of the awareness and information gathering audit exercise which we carried out internally a large number of staff provided feedback on existing systems and processes and often raised concerns or opportunities for improvement; a series of recommendations were made, where gaps or opportunities for improvement were identified.

These recommendations set a basis for a plan to improve compliance beyond 25 May 2018 and to reduce the risk of non-compliance for the College. These recommendations will be reviewed and prioritised for action by the relevant business

areas; some can be taken forward within existing operational plans or project work streams and others may require discrete projects.

The internal auditor recommended that a core group oversee the implementation of recommendations which underpin data protection compliance and ongoing compliance. A group composed of key senior data owners has been identified and will be overseen by the Deputy Principal.

Raising awareness and training

A key requirement of the ICO 12 Steps is the raising of awareness and training of all relevant staff in data protection. In terms of risk management this goes a long way to demonstrating to the ICO that an organisation has taken the new legislation seriously in the event of a breach event. A significant amount of face to face training has been delivered across the College and this continues. An online animation video is being produced which will be available as a training tool for all staff from May 2018.

New policies, procedures and privacy notices

The new College Data Protection Policy and procedures on personal data requests and data breach will go to the SMT on 3 May 2018. In the meantime they are being circulated to key staff for sense checking and feedback. The Policy will go to the Audit Committee for approval on 16 May 2018.

New Privacy Notices for staff and students have been prepared. These are legal notices and so are necessarily lengthy and not especially 'easy reads'. The content is largely driven by the legal requirements for ensuring that we inform data subjects about exactly why we need their data, what we do with it, who we may share it with and our legal grounds for processing their data. A summary, layered version of the student notice is being produced. These notices provide the foundation for all that we do through the lifecycle of our student and staff data. Staff should be aware and understand the content of the student notice as it relates to their role in the College.

5. Impact and implications

There will be budgetary implications dependent upon decisions taken in relation to the Recommendations Report which may lead to changes to IT systems and development of new college wide processes.

Where we fail to comply there are clear reputational and financial risks for the College both with external stakeholders and with our staff and students. The new law introduces more significant organisational fines, the responsibilities for us as a College, managing personal data, are more onerous and the rights of individuals in relation to their personal data are strengthened. There are opportunities to reduce our risk exposure significantly by addressing key recommendations arising from the awareness and information gathering exercise.