

## GDPR UPDATE

### Legal and Democratic Services Advisory Committee - 4 October 2018

Report of Chief Officer Corporate Services

Status For information

Key Decision No

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**Executive Summary:** This is an update on GDPR, to be noted.

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**Portfolio Holder** Cllr. Anna Firth

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#### Introduction and Background

- 1 The General Data Protection Regulation (GDPR) came into force on 25 May 2018. This was enacted in the UK as the Data Protection Act 2018. It provides individuals with greater rights over the use of their personal information and ensures organisations use the information fairly, transparently and securely. It sets out the lawful ways in which the Council can use information.
- 2 The Council has fully implemented GDPR and its core business has not been affected by the new regime.

#### The provisions

- 3 GDPR applies to information that we collect and use about living individuals, known as personal data. This covers a wide range of information but the most common example is a person's name and address.
- 4 The council has a responsibility to tell individuals it is going to use their personal data. We do this through a document called a Privacy Notice which is available on the Council's website here: [www.sevenoaks.gov.uk/privacy](http://www.sevenoaks.gov.uk/privacy) . A link to this notice is now on the footer of every external Council email, along with a link which allows users to 'unsubscribe' from any email lists.
- 5 GDPR gives individuals a number of rights over their personal data, such as the right to see the information the Council holds about them ('subject access'), the right to correct inaccurate information and the 'right to be forgotten'. The Council has processes in place to respond to an exercise of these rights.

- 6 As required by GDPR the Council protects the privacy and security of all data that it controls and processes. The technical and physical security measures in place are sufficient to ensure compliance.
- 7 GDPR compliance at the Council was managed by a small working group of officers. Training was rolled out to Officers and made available to Members. As part of the implementation process every service area carried out a data audit and considered the lawful and necessary retention period for the data it held. All relevant internal processes and policies were reviewed. The Council is confident that it implemented GDPR in an effective manner and that full compliance was achieved.

## **The ICO**

- 8 The Information Commissioner's Office is the supervisory authority which regulates data protection law in the UK. The ICO can be contacted through its website [www.ico.org.uk](http://www.ico.org.uk) and most questions relating to data protection can be answered by visiting the site. The Council has notified the ICO that it processes personal data and this notification covers its Officers and Members while acting on Council business.

## **Key Implications**

### Financial

None arising from this report.

### Legal Implications and Risk Assessment Statement.

None arising from this report.

### Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

## **Conclusions**

This report is for noting only.

**Appendices** None.

**Background Papers** None.

**Jim Carrington-West**

**Chief Officer Corporate Services**