

## **ICO – Data Protection Follow Up Audit**

### **SUMMARY**

- 1.1 This report provides members with the outcome of the follow up audit by the Information Commissioner’s Office of the Council’s data protection processes.

### **RECOMMENDATION**

- 2.1 To note the revised “reasonable assurance” rating from the Information Commissioner’s Office.

### **REASONS FOR RECOMMENDATION**

- 3.1 The Audit and Accounts Committee is responsible for providing assurance to the Council on the effectiveness of the governance arrangements, risk management framework and internal control environment.

### **SUPPORTING INFORMATION**

- 4.1 In September 2012 the Information Commissioner’s Office (ICO) audited the Council’s processes and procedures in respect of Data Protection Governance, Records Management and Security of Personal Data. The ICO’s overall opinion was that there was “limited assurance” that processes and procedures were in place and being adhered to. The ICO identified scope for improvement in existing arrangements in order to achieve the objective of compliance with the DPA.
- 4.2 The ICO has now completed a desk based follow-up data protection audit in July 2013 to measure the extent to which Derby City Council had implemented the agreed recommendations and identify any subsequent change to the level of assurance previously given. This was based on a management update and supporting evidence from the Council.

4.3 The ICO considers that the arrangements now in place provide a reasonable assurance that processes and procedures to mitigate the risks of non-compliance with DPA are in place. The current position is summarised as three reasonable assurance assessments which shows an improvement from the original one reasonable and two limited assurance assessments in November 2012. The ICO's Executive Summary is attached at Appendix 2.

<b>OTHER OPTIONS CONSIDERED</b>
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5.1 N/A

**This report has been approved by the following officers:**

<b>Legal officer</b>	N/A
<b>Financial officer</b>	N/A
<b>Human Resources officer</b>	N/A
<b>Estates/Property officer</b>	N/A
<b>Service Director(s)</b>	N/A
<b>Other(s)</b>	Chief Officer Group

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<b>Background papers:</b>	None
<b>List of appendices:</b>	Appendix 1 – Implications Appendix 2 – ICO – Executive Summary

<b>IMPLICATIONS</b>
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**Financial and Value for Money**

1.1 None directly arising

**Legal**

2.1 None directly arising

**Personnel**

3.1 None directly arising

**Equalities Impact**

4.1 None directly arising

**Health and Safety**

5.1 None directly arising

**Environmental Sustainability**

6.1 None directly arising

**Property and Asset Management**

7.1 None directly arising

**Risk Management**

8.1 The effective management of information risk is a core principle of good information governance.

**Corporate objectives and priorities for change**

9.1 The functions of the Committee have been established to support delivery of corporate objectives by enhancing scrutiny of various aspects of the Council's controls and governance arrangements.