

Data Protection Officer Figures for 2019

Email Volumes

The Data Protection Email boxes receive all queries from staff, schools and the public. It is not practicable to separate them by category, however the volumes received and sent over the past 12 months are given below.

Throughout the year, the SLAs for the Data Protection Officer mailboxes have been maintained with minor exceptions. These are 100% response to general queries within 2 working days, and 24 hours response to data breach reports (including on non-working days). The out-of-hours response is required due to the requirement to report serious breaches within a maximum of 72 hours as required by the law.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Received	478	475	478	397	587	455	638	478	448	441	567	352
Sent	284	301	265	235	339	259	324	176	361	254	216	201

This represents an average per week of 111 emails received and 68 responses sent. The difference generally indicates courtesy replies e.g. recipients acknowledging receipt of advice with thanks.

Breach Volumes

The Data Protection regulations require that we record all breaches and near misses, even if these do not reach the threshold for reporting to the Information Commissioner.

Two corporate incidents have been reported to the Information Commissioner during the year. In each case, they were closed by the Information Commissioner with no further action required.

Class	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	% of total
Accidental release	2	3	5	8	6	10	5	4	6	2	6	3	60	43%
Control failure	1	1				2	2	1	1	1	1		10	7%
Email spoofing	9	4	4	3	5	1			3		2	5	36	26%
Incomplete data														
Lost property	3	4	2	3	3	1	2	2	2		4	1	27	19%
Malware												1	1	1%
Near miss														
Process issues	1	2		1					1	1			6	4%
Resource issues														
Training issues	1												1	1%
Other														
Total	17	14	11	15	14	14	9	7	13	4	13	10	141	100%

It is difficult to measure against others in the industry as practice is evolving, however anecdotal evidence suggests we are on a par with other local authorities.

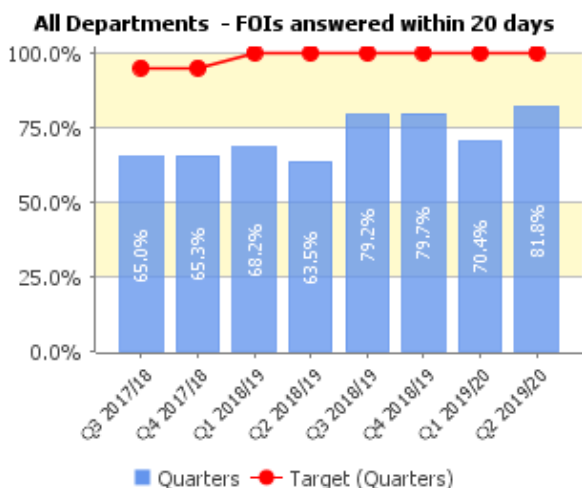
Article 30 Register and Data Protection Impact Assessments

One key change in the law with GDPR was the requirement to maintain a detailed list of processing activities which is available for publication, along with Data Protection Impact Assessments for all "high risk" processing. We have taken a precautionary approach and performed impact assessments of all processing; currently there are over 350 corporate purposes recorded and approximately 20 for schools. These are now reviewed every two years or when a change of legislation or processing supplier occurs.

Complaints and Information Service Figures for 2019

Freedom of Information Act (FOIA) requests

In line with the Freedom of Information Act 2000, the public has a right of access to information held by public authorities. The statutory timescale for responding to FOIA requests is 20 working days. The charts below show performance achieved. FOIA requests whilst remaining behind target are showing an improving picture where there has been a substantial improvement in the last two months.



Compliance %	Jun	Jul	Aug	Sep
Volume of completed requests	131	176	174	118
Responses completed in time	87 (66%)	117 67%	152 (87%)	114 (97%)

Targets are monitored weekly with departments and an escalation process has been introduced which highlights to senior officers where action needs to be taken urgently. Regular liaison with departments has increased, all of which have resulted in a positive improvement in performance. Process will continue to be reviewed and improved to ensure the system works well. The FOIA process is now much better understood by the wider Council, as are the departments' understanding of FOIA law and exemptions. Further improvements include training for the Complaints and Access to Information Team (CAIT) and for the department officers, better use of Power BI for reporting, and publication of FOIA responses. The RAG rating is now amber and should be green by end of March 2020.

Subject Access Requests (SARs)

In line with GDPR and the Data Protection Act 2018, individuals have a right to access personal data held about them. The statutory timescale for responding to SARs is 1-3 months depending upon complexity of case. The table below shows performance achieved.

	Qtr. 1		Qtr. 2	
	2018	2019	2018	2019
Volume of completed requests	9	29	24	25
Responses completed in time	8 (88.9%)	29 (100%)	23 (95.8%)	22 (88.0%)

General factors which have affected SAR performance is restructure of the team, introduction of new processes and staff absence through maternity and sickness leave. Members of CAIT have however been learning new areas of work so that there is greater cover for absence and greater long-term resilience and succession planning within the team. The RAG rating for SARs is expected to be amber by the end of March 2020.

Complaints to the Information Commissioner's Office (ICO)

The ICO dealt with 7 cases in quarter 2 and 5 cases in quarter 1 where requestors were unhappy with the way Council had handled their information requests. Of these, only 2 cases were upheld which resulted in the Council acting to provide further responses to the requestors.