

Data Protection Act 1998 Undertaking follow-up

The Council of the Isles of Scilly ICO Reference: ENF0525289 and ENF0516099

On 13 March 2015 the Information Commissioner's Office (ICO) conducted a follow-up assessment of the actions taken by The Council of the Isles of Scilly in relation to the undertaking it signed on 21st August 2014.

The objective of the follow-up is to provide the ICO with a level of assurance that the agreed undertaking requirements have been appropriately implemented. We believe that appropriate implementation of the undertaking requirements will mitigate the identified risks and support compliance with the Data Protection Act 1998.

The follow-up assessment consisted of a desk based review of the documentary evidence supplied to demonstrate the action it had taken in respect of the undertaking requirements.

The review demonstrated that the Council of the Isles of Scilly has taken appropriate steps and put plans in place to address some of the requirements of the undertaking, however further work needs to be completed to fully address the agreed actions.

In particular the Council of the Isles of Scilly confirmed that it has taken the following steps:

- The Council has created a data protection related training programme which is soon to be rolled out.
- Access to an encryption platform has been provided for staff required who share personal data
- A Redactions Policy and Security Breach Protocol have been drafted.
- The Data Protection Policy has been reviewed and updated.
- A Policy and Scrutiny Officer has been recruited to monitor compliance with the Data Protection Policy.

However the Council of the Isles of Scilly should take further action:

- The Council's update indicates that the new training programme has been purchased as a package from Cornwall Council. The training programme should be

adapted so that it is specific to the Council of the Isles of Scilly's own policies and procedures.

- It was unclear from the Council's update whether data protection related refresher training is planned and specifically how attendance will be monitored. Periodic refresher training should be provided for all staff.
- Although the Council have provided staff who share personal data with access to an encryption platform, they should also provide guidance detailing the circumstances in which extra security measures (such as the encryption platform) should be implemented, in line with the requirements of the undertaking.
- The Redactions Policy and the Security Breach Protocol have not yet been formally adopted as they are awaiting approval from the Senior Leadership Team and members. Approval and formal adoption should take place as soon as possible.
- Although a Policy and Scrutiny Officer has been recruited to monitor compliance with the Data Protection Policy, it is unclear specifically how such monitoring will take place. Ensure that the new Information Governance Framework sets out how monitoring will take place and the associated roles and responsibilities.

Date Issued: 13 March 2015

The matters arising in this report are only those that came to our attention during the course of the follow up and are not necessarily a comprehensive statement of all the areas requiring improvement.

The responsibility for ensuring that there are adequate risk management, governance and internal control arrangements in place rests with the management of the Council of the Isles of Scilly.

We take all reasonable care to ensure that our Undertaking follow up report is fair and accurate but cannot accept any liability to any person or organisation, including any third party, for any loss or damage suffered or costs incurred by it arising out of, or in connection with, the use of this report, however such loss or damage is caused. We cannot accept liability for loss occasioned to any person or organisation, including any third party, acting or refraining from acting as a result of any information contained in this report.