

Data Protection Act 1998 Undertaking follow-up

Wiltshire Police ICO Reference: COM0595868

On 8th November 2016 the Information Commissioner's Office (ICO) conducted a follow-up assessment of the actions taken by Wiltshire Police in relation to the undertaking it signed on 3rd March 2016.

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 Wiltshire Police supplied to demonstrate the action it had taken in respect of the undertaking requirements.

1. A suitable method of delivering data protection training to all staff who handle personal or sensitive personal data on a regular basis be introduced and that attendance/completion of this be recorded and monitored to ensure that all staff receive the training.
2. Data protection training provided to staff be refreshed at regular intervals.
3. Appropriate records management training be delivered to all staff who are regularly involved with processing of files containing personal or sensitive personal data.
4. The completion of mandatory records management training for such staff be monitored and the results reported into a central location to ensure appropriate oversight of records management training uptake.
5. The data controller shall implement such other security measures as are appropriate to ensure that personal data is protected against unauthorised and unlawful processing, accidental loss, destruction, and/or damage.

The evidence provided by Wiltshire Police included:

- Briefing paper on the proposed introduction of data protection training;
- Internal communication to the Force regarding the new data protection training package;
- Induction presentation;
- Data protection information sheet;
- Induction completion figures for new employees;
- Data protection video refresher completion figures;
- Data protection foundation e-learning completion figures;
- Acceptable use force systems policy (draft);
- Common law police disclosure scheme procedure; and
- Records Management procedural guidance.

The review demonstrated that Wiltshire Police 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 by Wiltshire Police to fully address the agreed actions.

In particular, Wiltshire Police has confirmed that it has taken the following steps:

- A mandatory online data protection training programme has been developed and is included in the induction programme to be completed by new police officers. The training package consists of an online data protection video and an NCalt Data Protection Foundation level course. It was reported that due to copyright, Wiltshire police were unable to provide the ICO with a copy of the online training package.
- In addition to the online training, new police staff will also continue to receive face to face data protection training delivered by the Force Disclosure Unit.
- A data protection information sheet has been created and is provided to all new starters prior to their start date. The information sheet explains the principles of the DPA, responsibilities of staff when processing personal data and reporting security breaches. Wiltshire Police has reported that staff are required to sign to confirm that they have read the information sheet.
- Existing Wiltshire Police staff are also required to view the online data protection video and complete the online data protection course. An internal email was sent to all staff in July informing them of the mandatory training programme. Since implemented, approximately 800 staff have completed the online training

programme. Staff are required to complete the training programme biennially.

However, Wiltshire Police should take further action on the following areas:

- Wiltshire Police have not yet created a records management training programme to be delivered to staff involved in processing personal and sensitive personal data. Wiltshire Police has confirmed that there are no plans to deliver records management training to staff. As detailed within the undertaking, appropriate records management training should be delivered to all staff. Completion of records management training should be recorded and monitored.
- Whilst the Wiltshire Police Learning and Development department maintain a record of staff that have completed the online data protection training package, it remains unclear who is responsible for ensuring mandatory training is refreshed and completed by staff every 2 years.

Date Issued: 24th November 2016.

A copy of this report has been passed to the Enforcement Department.

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 Wiltshire Police.

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.