



APPENDIX 2a

South Lakeland District Council

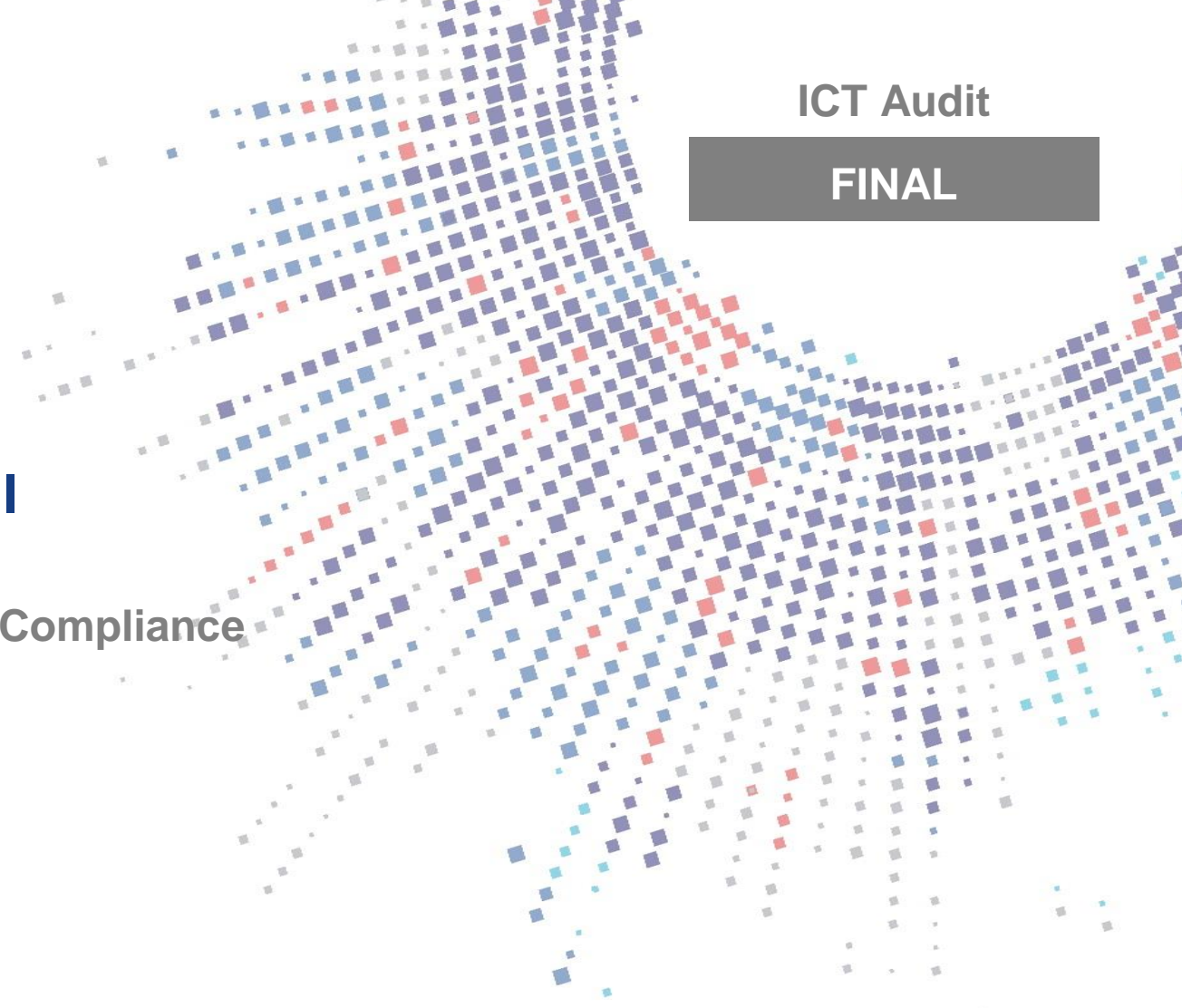
Assurance Review of Data Protection Compliance

2019/20

March 2020

ICT Audit

FINAL



Executive Summary

OVERALL ASSURANCE ASSESSMENT

OVERALL CONCLUSION

The Council has a robust framework to facilitate ongoing compliance with the current Data Protection legislation including appropriate policies, procedures and guidance.

- Privacy Notices should be made more easily accessible on the Council website.
- To provide assurance that adequate controls are in place, Data Protection Impact Assessments should be conducted for all systems where the processing is likely to result in a high risk to the rights of individuals.
- All contracts and agreements should be reviewed and documented within the Record of Processing Activities to ensure adequate data sharing controls and GDPR clauses are in place.
- GDPR E-learning completion levels are low.

SCOPE

The review considered how the Council can demonstrate that it meets its obligations under the Data Protection Act 2018 in handling, processing and storing data, and how it manages access requests.

ACTION POINTS

Urgent	Important	Routine	Operational
0	4	1	0

Management Action Plan - Priority 1, 2 and 3 Recommendations

Rec.	Risk Area	Finding	Recommendation	Priority	Management Comments	Implementation Timetable (dd/mm/yy)	Responsible Officer (Job Title)
1	Compliance	At the time of audit, the DPO confirmed that 32% of South Lakeland District Council employees had completed the GDPR E-learning. The Council should ensure that all staff complete the training so that it can evidence this compliance and be assured that all staff have adequate GDPR awareness.	It be ensured that all staff complete the GDPR E-learning so that compliance can be evidenced and assurance gained that all staff have adequate GDPR awareness.	2	<i>Agree with recommendations – linked to Information and Cyber Security Audit Recommendations - current e-learning package to be reviewed in light of new staff roles - notably Customer Contact and Case Management roles. Consult and seek recommendations from Corporate Learning & Development Team. Resources to be made available, and a training package to be developed and used as part of a regular cycle of training for staff.</i>	31/12/20	<i>Specialist Performance, Innovation and Commissioning (DPO)</i>
2	Compliance	A review of the ROPA indicated that, at present, not all documentation including Data Sharing Agreements and contracts have been linked to the ROPA. The DPO confirmed that the review of contracts and agreements is ongoing. As part of best practice documentation of processing activities, all contracts and agreements should be reviewed to ensure adequate data sharing controls and clauses are in place.	All contracts and agreements be reviewed and documented within the Record of Processing Activities to ensure adequate data sharing controls and GDPR clauses are in place.	2	<i>Agree with recommendation - all contracts and agreements be reviewed and documented within the Record of Processing Activities to ensure adequate data sharing controls and GDPR clauses are in place.</i>	30/09/20	<i>Specialist Performance, Innovation and Commissioning (DPO)</i>

PRIORITY GRADINGS

1 URGENT Fundamental control issue on which action should be taken immediately.

2 IMPORTANT Control issue on which action should be taken at the earliest opportunity.

3 ROUTINE Control issue on which action should be taken.

Rec.	Risk Area	Finding	Recommendation	Priority	Management Comments	Implementation Timetable (dd/mm/yy)	Responsible Officer (Job Title)
3	Compliance	As the Council must provide privacy information that is “easily accessible”, the Council should ensure that all privacy notices are made available on the Council website. Additionally, it is good practice to have a link to a privacy notice or privacy area available on every page, typically within the footer of each page. At present, the privacy information is available via the sitemap or search facility but the addition of a link would make this easier to access.	All Council Privacy Notices be made available on the Council website and made more easily accessible such as by a link in the footer of each page.	2	Agree with recommendation – working with Digital Specialist to ensure all Council Privacy Notices are made available on the Council website and made more easily accessible through a link in the footer of each page.	30/06/20	Specialist Performance, Innovation and Commissioning (DPO)
5	Compliance	Review of the ROPA indicates that Data Protection Impact Assessments are planned for many systems within the Council. It should be ensured that Data Protection Impact Assessments are conducted for all systems where there the processing is likely to result in a high risk to the rights of individuals.	It be ensured Data Protection Impact Assessments are conducted for all systems where the processing is likely to result in a high risk to the rights of individuals.	2	Agree with recommendation – working with Council System Information Asset Owners to ensure DPIA’s are conducted for all systems where the processing is likely to result in a high risk to the rights of individuals.	30/09/20	Specialist Performance, Innovation and Commissioning (DPO)

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4	Compliance	The Data Protection Policy correctly states that “the Council must respond or complete all requests within one calendar month.”, however, the Data Subject Rights Procedure states “We will respond to a request to exercise any of the above rights as soon as we can and within one month (30 days) of any request.” This discrepancy should be addressed, however, the DPO is already aware of this and is preparing to make the required amendments.	It be ensured the Subject Access Request timescales are correctly documented across the Council’s policies, procedures and associated guidance.	3	<i>Agree with recommendation to ensure Council’s SAR timescales are correctly documented across the Council’s policies, procedures and associated guidance.</i>	30/06/20	<i>Specialist Performance, Innovation and Commissioning (DPO)</i>

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Operational Effectiveness Matters

Ref	Risk Area	Item	Management Comments
No Operational Effectiveness Matters were identified.			

ADVISORY NOTE

Operational Effectiveness Matters need to be considered as part of management review of procedures.