

Annual Report of the Data Protection Officer



Lichfield
District Council

Date:	18 September 2024
Agenda item:	
Contact officer:	Colin Cooke, Performance, Efficiency & Improvement Officer
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Key decision?	NO
Local ward members	N/A

Audit Committee

1. Executive summary

- 1.1 This report seeks to provide Members of the Committee with the annual update on Data Protection.

2. Recommendations

- 2.1 The Committee note and discuss the contents of the report.

3. Background

- 3.1 The council is fully committed to complying with the requirements of the General Data Protection Regulations and the Data Protection Act (2018). Each year an update on data protection is provided to the committee for consideration.

Alternative options	The council is required to comply with data protection legislation but could choose to receive updates in another format.
Consultation	We have ongoing support from South Staffordshire Legal Services, providing advice and guidance where necessary.
Financial implications	None
Approved by Section 151 Officer	Yes
Legal implications	None
Approved by Monitoring Officer	Yes
Contribution to Lichfield District 2050	Data protection contributes to the effective running of the council.
Data assessment	N/A

Equality, diversity and human rights implications	N/A
EIA logged by Equalities Officer	No Equalities Officer confirmed not required.

Crime & safety Issues	None
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Environmental impact (including climate change and biodiversity)	None
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GDPR / privacy impact assessment	None, no personal data is included in this report.
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	Risk description & risk owner	Original score (RYG)	How we manage it	New score (RYG)
A	Legal challenge if processes not in place	Likelihood: Amber Impact: Red Risk: Red	Processes in place and regularly reviewed	Likelihood: Green Impact: Green Risk: Green
B	Legal challenge if operating outside of GDPR	Likelihood: Amber Impact: Red Risk: Red	Staff are trained and policies are in place	Likelihood: Green Impact: Green Risk: Green

Background documents	Any previous reports or decisions linked to this item
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Relevant web links	Any links for background information which may be useful to understand the context of the report
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Data Protection Officer Annual Report – September 2024

Staff training

Training is delivered through an online Learning Hub made available to all staff. The Learning Hub issues automatic reminders and provides a dashboard for managers to review completion for their direct reports. It is mandatory that all staff complete the GDPR and Cybersecurity training on an annual basis. These courses are optional for Councillors.

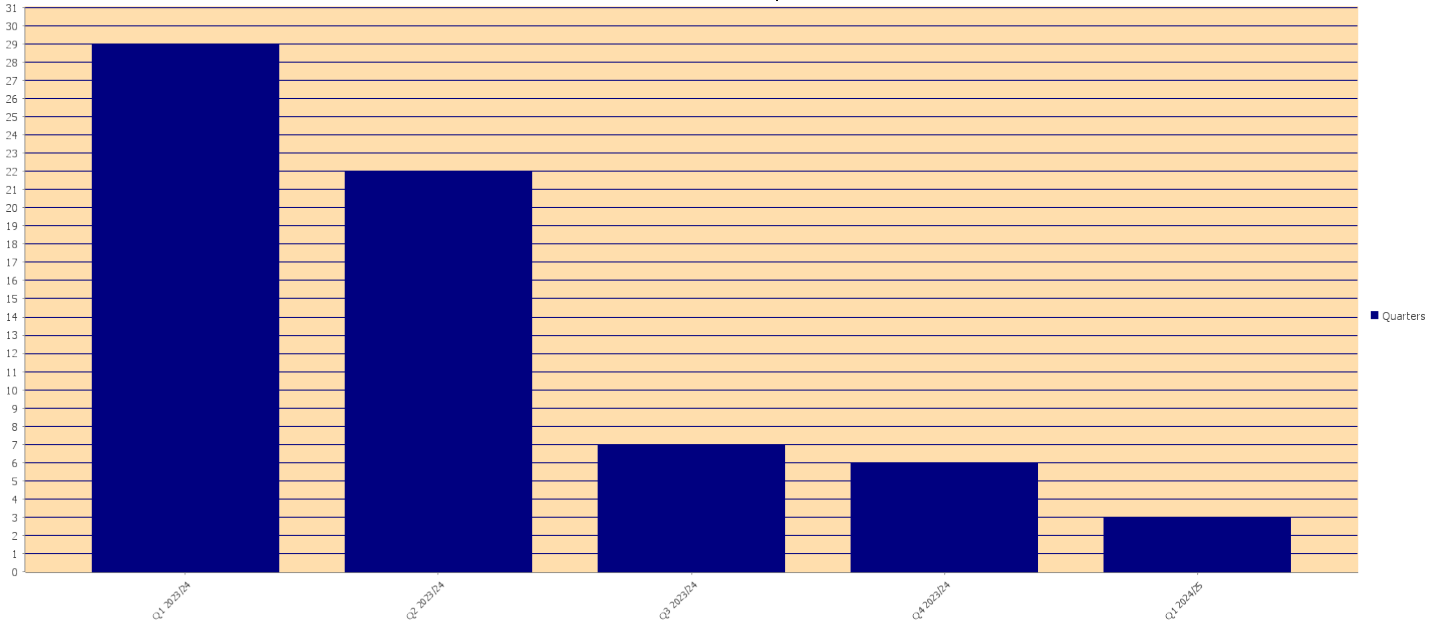
Currently 84% of staff have successfully completed GDPR training, this figure is in constant change as staff members leave and new starters join. 88% of staff hold a current certification for Cybersecurity training. Staff are given a deadline to complete these course, if not they are locked out of LDC systems until they have completed. During the start of 2024 we undertook council-wide communications and messaging to reiterate the importance of undertaking this training, and outlining the implications if they didn't complete the training within timescales. The process of reminding staff and then locking out those that are non-compliant will continue to be enforced.

Directorate	Not certified GDPR number	Certified GDPR %	Not certified cyber security number	Certified cyber security %
Core	8	84%	4	92%
Finance, Regulation & Enforcement	6	85%	3	93%
Resident & Business Services	14	89%	20	85%
Staff overall	28	84%	26	88%
Councillors	36	23%	39	17%

FOI requests

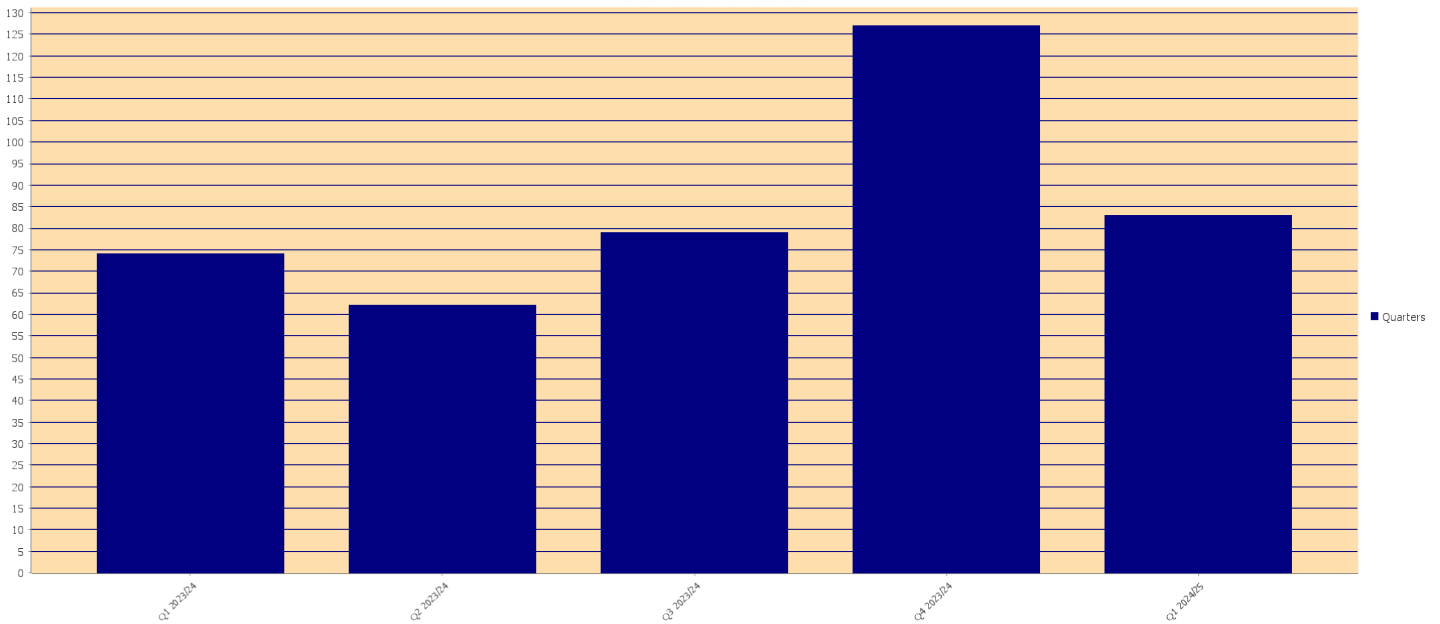
The number of FOI requests not meeting the 20 working day deadline improved significantly in the first quarter of 24/25, 3 failures (5.83% of all FOIs) in Q1 compared with 29 (39.19%) in Q1 23/24. This improved performance is due to further developing our reporting, communications and monitoring. During 23/24 there were a total of 342 FOI requests received, of which 81.29% were completed within 20 working days, performance did improve in the second half of the year.

FOI 001 Number of FOI breaches per month



The number of FOI requests submitted in Q1 24/25 is slightly higher than in Q1 23/24 (83, compared to 74). During 23/24 of the 342 requests received 58 (16.95%) related to Environmental Health, 36 (10.53%) to Operations, 29 related to Policy and Strategy (8.48%), Housing Options received 26 (7.60%), Development Management and Revenues, Benefits & Corporate Debt Recovery and HR received 22.

FOI 003 Number of FOI's submitted

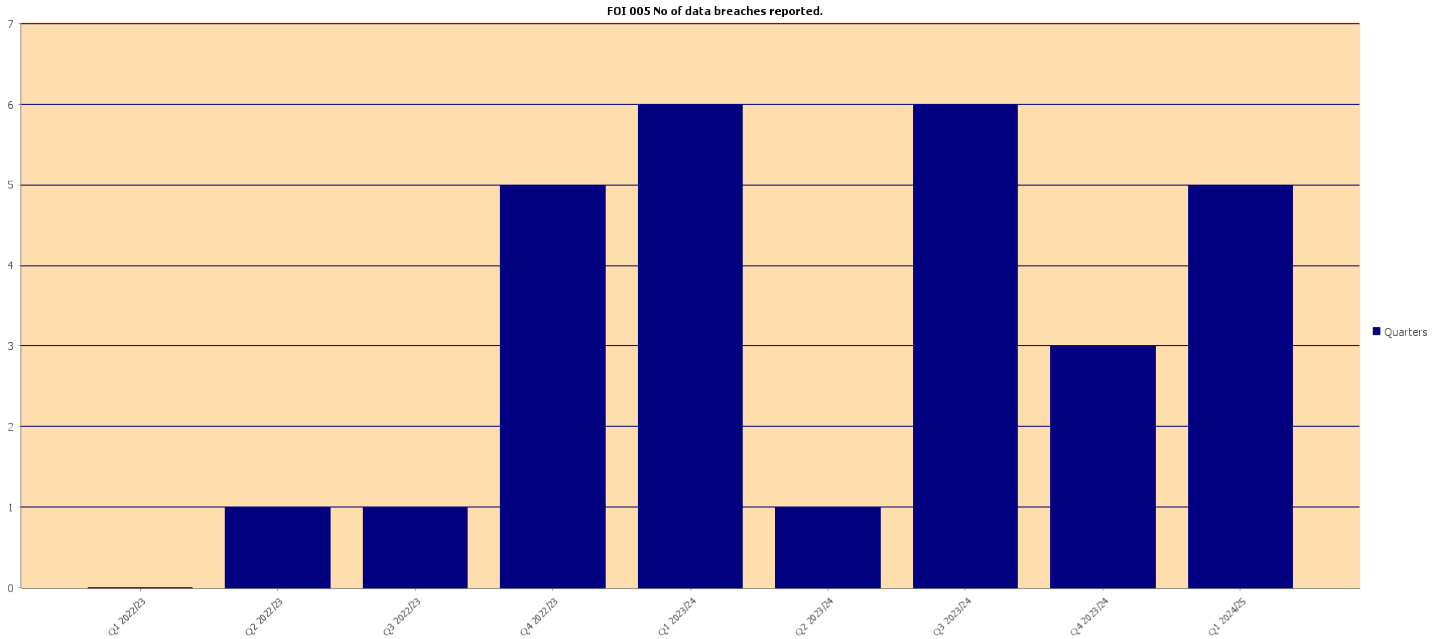


We have a dedicated section on our website where we publish frequently asked FOI responses, to help individual find the information they want as quickly as possible, without necessarily having to submit a FOI request. We work with service areas to review the information on this webpage, and review FOI trends. [Frequently asked FOIs \(lichfielddc.gov.uk\)](http://lichfielddc.gov.uk)

Data Breaches

16 data breaches were reported in 2023/24 compared to 7 in 2022/23. Of those in 2023/24 only one met the thresholds requiring it to be reported to the Information Commissioner's Office, and they confirmed that no further action was required. Revenues had the highest number of breaches with a total of three during the year. We believe the increase in numbers is due to an increase in reporting following internal publicity around GDPR rather than an increase in error.

In March 2024 an internal audit into Data Breach Management took place which concluded there was “Reasonable Assurance”. No high priority recommendations were made, two medium and one low all of which have been implemented. We continue to work with service areas to encourage them to proactively report data breaches. When a data breach is reported we work with the service area to put mitigated actions in place, and to learn lessons from the incident to reduce the risk of future breaches.



Subject Access Requests

Individuals have the right to access and receive a copy of their personal data, and other supplementary data. This is commonly referred to as a subject access request or ‘SAR’. The number of subject access requests has increased from one in 2023/24 to two in the first quarter of 2024/25.

Artificial Intelligence (AI)

We are not currently actively using AI and acknowledge that diligence needs to be applied in its use in an ethical and secure way, consistent with GDPR obligations. We are currently reviewing best practice guidance, with the aim of developing guidance for LDC. It will be vital that appropriate checks, balances and training are put in place prior to implementing AI in any of our systems or services.