

Decision Notice
Delegated Decision

Decision No:	DD32
Subject:	DATA PROTECTION POLICY 2020
Notification Date:	15 May 2020
Implementation Date:	4 May 2020
Decision taken by:	Louise May, Head of Governance
Delegated Authority:	Paragraph C23 of Section 6 of Part 3 of the Constitution, delegation to the Head of Governance: 'To exercise the powers and functions of the Council in relation to the GDPR and the Data Protection Act 2018.'
Decision Type:	Executive Non-Key
Call-In to Apply?	No (<i>Call-in does not apply to Non-Key Officer Decisions</i>)
Classification:	Unrestricted

Reason for the Decision:	To ensure compliance with the Council's obligations under the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).
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Decision:	To approve the revised Data Protection Policy.
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1. Consideration and Alternatives (*if applicable*)

- 1.1 In December 2019 the East Kent Corporate Information Governance Group set up a Policy Suite Sub-Group to carry out a review of each of the Council's information governance policies. All policies were reviewed and ready for implementation post-staff consultation and Cabinet approval. Due to the current circumstances with Coronavirus, the wider consultation had to be postponed.
- 1.2 Although the Council currently has an existing Data Protection Policy, the update is required to include the appropriate policy document under sch. 1(4), paragraph 39(a)-(b) of the Data Protection Act 2018. This is the requirement to have a document in place for when the Council processes special category data, also known as sensitive personal data. It includes how the Council intends to comply with the data protection principles and how the information is erased/disposed of when no longer required.
- 1.3 This has been addressed by creating the appropriate policy document within the Policy. The Council processes special category information regularly to provide our services. Due to Coronavirus our processing activity has increased with the large-scale sharing from the NHS and central Government to Councils; because of this it is important that all of the required documentation is in place and published where required.
- 1.4 The Data Protection Policy has also been revised and updated. Its purpose is to ensure that staff comply with the data protection requirements including the principles

listed in General Data Protection Regulation Article 5, and that any data handled by staff is done so in compliance with legislation and the policy.

1.5 In addition, this policy is being updated to comply with our transparency obligations under the Data Protection Act. Members of the public may investigate our legal justification for processing. This is documented in our privacy notice and any processing of special category data will be supported by the appropriate policy document.

2. Any Conflicts of Interest Declared?

None.

3. Supporting Information (*as applicable*)

See attached Data Protection Policy.