

# TEESSIDE PENSION FUND

Administered by Middlesbrough Council

AGENDA ITEM NN

## TEESSIDE PENSION BOARD REPORT

26 FEBRUARY 2018

### STRATEGIC DIRECTOR FINANCE, GOVERNANCE & SUPPORT – JAMES BROMILY

### TEESSIDE PENSION BOARD – GENERAL DATA PROTECTION REGULATION (GDPR)

#### 1. PURPOSE OF THE REPORT

- 1.1 To provide an overview of progress to date for the introduction of the GDPR.

#### 2. RECOMMENDATIONS

- 2.1 That Board Members note the contents of the paper.

#### 3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications for the Fund.

#### 4. BACKGROUND

- 4.1 The General Data Protection Regulation (GDPR) is an EU law which comes into force on 25th May 2018. The UK government has confirmed that the UK's decision to leave the EU will not affect the commencement of the GDPR.
- 4.2 Most headlines seem to concentrate on the maximum fines for infringement, subject access requests and the "right to be forgotten". However, the GDPR is much more than these headline grabbers.
- 4.3 The GDPR will introduce a common Data Protection policy across the whole of the EU and will apply to any organisation that holds data on EU citizens no matter where they are based.
- 4.4 Appendix A provides a Briefing Note produced by Kier, which is not a legal opinion, on what the GDPR will introduce.

#### 5. PROGRESS TO DATE

- 5.1 The GDPR calls for specific processes to be in place to protect data on individuals. The below list covers the main areas that need to be in place:
  - 5.1.1 **Data Protection Officer (DPO):** Public Bodies to appoint a DPO, which has to be a standalone function to avoid any conflict of interest. Middlesbrough Borough

Council have identified a suitable person to undertake this function and they will be in place by 26<sup>th</sup> May 2018.

- 5.1.2 **Data Mapping:** Where an organisation holds data pertaining to a natural person they should map what personal data is held, determine a retention schedule, what processing activities are carried out on that data, the recipients of the data, and any security measures in place to protect the data. Kier are currently assisting Middlesbrough Borough Council in mapping the pension data held.
- 5.1.3 **Privacy Notices:** Middlesbrough Borough Council are currently reviewing what the Privacy Notice will contain and how it will be published.
- 5.1.4 **Data Protection Impact Assessments (DPIA):** these are also known as Privacy Impact Assessments and are required prior to the use of new technologies or where processing is likely to result in a high risk to individuals. A DPIA will cover the processing being undertaken, its purpose and necessity, and will provide an assessment of the risks plus measures to address them. Again, Kier is working with Middlesbrough Borough Council to ensure robust processes are in place so that any changes to process occur after a DPIA is undertaken. Thus ensuring Data Protection by design.
- 5.1.5 **Data Breach Notification:** although it is hoped that this will not occur, Middlesbrough Borough Council and Kier are working to ensure appropriate processes are in place so that any data breach can be escalated via the relevant channels in a prompt and efficient manner.

CONTACT OFFICER: Graeme Hall (Pension Manager)

TEL. NO.: (01642) 727344