

Data Protection Act 1998 Undertaking follow-up

Wolverhampton City Council ICO Reference: COMO611071

During March 2017 the Information Commissioner's Office (ICO) conducted a follow-up assessment of the actions taken by Wolverhampton City Council (WCC) in relation to the undertaking it signed on 2 June 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 WCC supplied to demonstrate the action it had taken in respect of the undertaking requirements. This included screen prints of the Learning Hub, screen prints of intranet messages, Core Briefs, email training reminders, a report submitted to WCC's Strategic Executive Board during July 2016 and additional emails with further explanations of the actions they had taken.

The review demonstrated that WCC has taken steps and put plans in place to mainly address the requirements of the undertaking:

(1)The data controller shall devise and implement a system to ensure that completion of data protection training is monitored and that procedures are in place to ensure that staff who have not completed training within the specified time period do so promptly. This should be completed within three months.

(2)The data controller shall ensure that all staff handling personal data receive data protection training and that this training is refreshed at regular intervals, not exceeding two years. The data controller should ensure that all staff that handle sensitive personal data regularly, receive refresher training within six months of the date of this undertaking, and all other staff have

received refresher training within nine months of the date of this undertaking.

These include:

- A report was submitted to the Council's Strategic Executive Board on 19 July 2016, including a proposed action plan to ensure that the requirements of the ICO undertaking would be met.
- A review of the protecting information e-learning module was carried out and the module was updated.
- An email was sent to employees in August 2016 who had not completed or that needed to retake the protecting information e-learning including a deadline of 30 September 2016 for completion. This was extended to the 30 November 2016 and if any of WCC's employees hadn't completed it by that point, WCC ensured that they had completed it by the 3 March 2017 in line with the ICO's undertaking requirements.
- Between July 2016 and February 2017, a series of communications were issued across WCC to raise awareness of the ICO undertaking including the requirement for all WCC employees to complete the protecting information e-learning module. These communications included: messages sent via email in the form of 'Core Briefs', email reminders from Organisational Development, messages published on WCC's intranet, managing director briefings, specific internal red banner messages on WCC's intranet and key message reminders at directorate and team meetings.
- Additionally, WCC ran several IG Surgeries during December 2016 and 15 IG Surgeries across 4 days during February 2017. These IG Surgeries were dedicated to delivering the protecting information e-learning training.
- WCC continued to work with their Workforce Development Team and the Learning Pool (providers of the Learning Hub - the Council's e-learning training system), to implement a solution that would enable WCC to track and monitor employees training completion. This was implemented in July 2016.
- The Learning Hub now has a tab which specifies that protecting information e-learning training is mandatory for all employees.
- Between July 2016 and February 2017, regular updates on the completion of the protecting information e-learning training were provided to the Senior Strategic Board – with any follow-up action being undertaken by area directors.
- WCC have confirmed that the protecting information e-learning refresher training will now take place every 12 months. WCC employees will receive an automated email reminder when they are due to complete the protecting information e-learning training.
- Between 3 June 2016 and 2 January 2017, 98% of WCC's employees had completed their protecting information e-learning

refreshing training and 86% of employees had completed their protecting information e-learning induction training.

- Between 3 June 2016 and 3 March 2017, 99% of WCC's employees had completed WCC's mandatory induction and refresher protecting information e-learning training.

Although WCC has largely taken appropriate steps to comply with the undertaking, we would advise that they continue work in the following areas to further improve their data protection compliance:

- WCC should ensure that they monitor and produce statistical reporting information for the protecting information learning module, specifically in respect of employees that handle sensitive personal information.
- As line managers are responsible for ensuring that their team/s completes any mandatory training, WCC should continue to look at providing managers with an additional dashboard solution that will provide them with information about which staff have completed the protecting information e-learning training.
- WCC should consider producing a training communications plan each year to ensure continuous awareness of the protecting information e-learning training and the requirements of the Data Protection Act.

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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 Wolverhampton City Council.

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.