

## GOVERNANCE COMMITTEE

28 January 2014

### REPORT OF HEAD OF COMMUNICATIONS

#### **1.0 PURPOSE OF REPORT**

- 1.1 To advise the Committee of the report of His Honour David Hodson, the Assistant Surveillance Commissioner of the Office of Surveillance Commissioners relating to the review of management of covert activities undertaken by Melton Borough Council.

#### **2.0 RECOMMENDATIONS**

- 2.1 That the refreshed Data Protection Policy and related documents be adopted.

#### **3.0 KEY ISSUES**

- 3.1 The Council's original Data Protection Policy and related documents ensured a basic compliance with the requirements of the Data Protection Act 1998, but has needed refreshing to take account of changes relating to the greater use of electronic media and transactions, and the requirements of information sharing.

#### **4.0 POLICY AND CORPORATE IMPLICATIONS**

- 4.1 The Council is required to have a Data Protection Policy which should be publicly available. This refreshed Policy will ensure continued compliance with the law.

#### **5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS**

- 5.1 There are no specific implications for financial and other resources of adopting a refreshed Policy.

#### **6.0 LEGAL IMPLICATIONS/POWERS**

- 6.1 Adopting the refreshed Policy and related documents will ensure continued compliance with the law.

#### **7.0 COMMUNITY SAFETY**

- 7.1 There are no community safety issues directly arising from this report.

#### **8.0 EQUALITIES**

- 8.1 Adoption of the refreshed Policy and related documents should ensure continued compliance with the Public Sector Equality Duty in s149 of the Equality Act 2010 and ultimately with Article 14 on non-discrimination in Schedule 1 of the Human

Rights Act 1998, via the requirement to give effect to the Convention Rights under s6 of that Act.

## 9.0 RISKS

- 9.1 The risks of non-compliance with Data Protection legislation and Regulations can be significantly reduced by adopting the refreshed Policy and related documents which ensures that the Council's approach is up-to-date.

### Probability



Very High A				
High B			1	
Significant C				
Low D		2		
Very Low E				
Almost Impossible F				
	IV Neg- ligible	III Marg- inal	II Critical	I Catast- rophic

→  
Impact

Risk No.	Description
1	Not adopting the refreshed Policy will leave the Council open to increased risk of non-compliance
2	Adopting the refreshed Policy will significantly reduce the risk of non-compliance

## 10.0 CLIMATE CHANGE

- 10.1 There are no climate change issues directly arising from this report.

## 11.0 CONSULTATION

- 11.1 Consultation on the refreshed Policy is not a requirement. Once adopted, it will be placed on the Council's website to replace the old Policy, so that it is publicly available, and meets the requirement of 'digital by default'.

## 12.0 WARDS AFFECTED

- 12.1 All wards are potentially affected.

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Date:	30 <sup>th</sup> June 2013
Appendices:	6
Background Papers:	N/A
Reference:	

