

REPORT OF THE
Chief Executive
PART I

1. GENERAL DATA PROTECTION REGULATION - APPOINTMENT OF DATA PROTECTION OFFICER

- 1.1. As Members will recall, a report was considered by the County Council at its meeting on 22 February 2018 regarding the forthcoming implementation of the General Data Protection Regulation (GDPR) on 25 May 2018, and implications for the County Council and Elected Members.
- 1.2. Along with all public authorities, the County Council is required to designate one of its Officers to carry out the statutory duties of the Data Protection Officer pursuant to Article 37-39 of the GDPR. Members were advised that a further report would be brought to the next meeting of the County Council in this regard.
- 1.3. The duties of the Data Protection Officer are:
 - i) To inform and advise the organisation and its employees about their obligations to comply with the GDPR and other data protection laws;
 - ii) To monitor compliance with the GDPR and other data protection laws, including managing internal data protection activities, advise on data protection impact assessments; train staff and conduct internal audits;
 - iii) To be the first point of contact for supervisory authorities and for individuals whose data is processed (employees, customers and so on).
- 1.4. GDPR states that the designated person should be a senior post within the authority reporting to Chief Officer level, be independent from the business, with expert knowledge of the subject area and have adequate resources to meet their GDPR obligations.
- 1.5. The Monitoring Officer is the Proper Officer for Access to Information in accordance with legislation and as outlined in the County Council's Constitution, reports to the Chief Executive and has overall responsibility for governance matters.
- 1.6. It is proposed that the Monitoring Officer be designated by the County Council as the County Council's Data Protection Officer.

RECOMMENDATION

That the County Council:

- a) Approves that the Monitoring Officer be appointed as the County Council's Data Protection Officer as detailed in paragraph 1 above.
- b) Authorises the Monitoring Officer to make the necessary amendment to the County Council's Constitution upon this appointment.