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| **Report No. TC00218****Appendix: F****Agenda Item: 11** | **Council** **Date of Meeting: 10th January 2018** |

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| **OAKHAM TOWN COUNCIL** |

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| **Report Author: Cllr Michael Haley** | **Title Councillor** |
| **Subject: Data Protection Officer** |
| **Applicable Strategy:** **N/A** |

**Background**

Parish and Town councils are required to comply with the General Data Protection Regulation (GDPR) that comes into force during May 2018. A consequence of this is that Oakham Town Council is required to appoint a Data Protection Officer (DPO).

The role of the DPO includes:

* Inform and advise the organisation and its employees of their data protection obligations under the GDPR.
* Monitor the organisation’s compliance with the GDPR and internal data protection policies and procedures. This will include monitoring the assignment of responsibilities, awareness training, and training of staff involved in processing operations and related audits.
* Advise on the necessity of data protection impact assessments (DPIAs), the manner of their implementation and outcomes.
* Serve as the contact point to the data protection authorities for all data protection issues, including data breach reporting.
* Serve as the contact point for individuals (data subjects) on privacy matters, including subject access requests.

The DPO is not required to hold professional qualifications however the DPO should have a sound knowledge of the Council’s administrative rules and procedures.

The Department for Digital, Culture Media and Sport is working with the Information Commissioner’s office and NALC to provide guidance for Town and Parish Councils. NALC has provided two legal briefings, LO8-17 Privacy notices and the legal basis for processing personal data and LO9-17 General data processing regulation and subject access requests. These were e-mailed to all members on 17 November 2017.

LRALC is looking into what role it may be able to play in terms of providing a DPO for councils who feel that their Clerk cannot fulfil the role of DPO at their council due to conflicted responsibilities. With reference to the OTC Clerk’s job description, the Chairman has no evidence to suggest that there would be a conflict of responsibilities.

**Proposal**

1. The Clerk is appointed to the role of Data Protection Officer (DPO).
2. The Clerk is required to familiarise herself with the requirements of the role of DPO in as far as it affects the work of OTC.
3. The Clerk undertakes training as and when offered by LRALC.