

Title of report	General Data Protection Regulation
Public/confidential	Public
Action	For information
Summary/purpose of report	To update Members on progress towards compliance with the General Data Protection Regulation.
Recommendations	The Council is asked to: 1. note the content of the report.
Link to Strategic Plan	The information in this report links to Outcome 4: Our stakeholders value our work.
Link to the Risk Register	Risk 6 The SSSC experiences disruption or loss of reputation/damage from a failure in its ICT systems, physical security or information governance arrangements.
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Documents attached	Appendices: Appendix 1 – Overview of changes Appendix 2 – Preparing for the GDPR 12 steps to take now Appendix 3 – 12 Steps Assessment Appendix 4 – Timeline overview

1. INTRODUCTION

- 1.1 The General Data Protection Regulation (GDPR) is an EU Directive which will be directly applicable in the UK on 25 May 2018. In conjunction with the coming into force of the GDPR, the Data Protection Act 1998 is being repealed and replaced with a new Data Protection Act.
- 1.2 The GDPR and the new Act make changes to the law that affect organisations that process data. This report sets out the main implications for the SSSC and the work planned to ensure compliance by 25 May 2018.

2. IMPLICATIONS

- 2.1 Appendix 1 provides an overview of the key changes identified by the UK Government alongside the implications of those changes for the SSSC.
- 2.2 Generally, the SSSC has good processes in place for managing and handling data along with identifying and reporting on breaches. The GDPR will require us to review the data we are holding and the management processes. Some changes will be necessary but the implementation of the majority of those changes will be straightforward.
- 2.3 There are two main areas that we anticipate will require focus.

- Retention and deletion of data

Our current retention schedule sets out lengthy retention periods for the data we hold about registered workers. We will need to review those time periods and, where necessary, implement a process for deletion from our systems. This coincides with work that will take place transferring data from our old Sequence system to our new Sequence and case management system.

- Data we pass to third parties

We are also responsible for identifying other organisations that we pass personal data to, or who process data on our behalf, and ensuring that those third parties are GDPR compliant.

3. PLANNED WORK

- 3.1 Appendix 2 sets out the 12 step plan that the Information Commissioner (ICO) issued to help organisations plan for GDPR. This sets out recommended steps that organisations should take to meet their obligations.
- 3.2 Appendix 3 sets out a review of our progress against the 12 step plan. This shows that we have plans in place to undertake the key areas of work that need to be completed. Appendix 4 provides an overview of the timeline for those key areas of work.

4. RESOURCE IMPLICATIONS

- 4.1 At present there are no resource implications. Discrete pieces of work may develop during the project that requires resources, such as designing online training, which will be managed through existing grant-in-aid.

5. EQUALITIES IMPLICATIONS

- 5.1 We will carry out an EIA by 25 May 2018 as part of our implementation of the GDPR.

6. LEGAL IMPLICATIONS

- 6.1 Failure to meet our statutory obligations would leave the SSSC exposed to sanction by the ICO. The sanctions available to the ICO are being expanded to include increased level of fines (from £500,000 to £17,700,000)

7. STAKEHOLDER ENGAGEMENT

- 7.1 Engagement has taken place internally and we are planning general staff training as part of the project. We are also part of a professional regulator group sharing experience and tools. We will carry out engagement with contractors and those that process data on our behalf as part of the project.

8. IMPACT ON USERS AND CARERS

- 8.1 The new legislation will not affect the fulfilment of our statutory public protection function.

9. CONCLUSION

- 9.1 We are on track to achieve compliance by 25 May 2018. There are some areas that will be challenging but all achievable.

10. BACKGROUND PAPERS

- 10.1 Appendix 1 – Overview of changes
Appendix 2 – Preparing for the GDPR 12 steps to take now
Appendix 3 – 12 Steps Assessment
Appendix 4 – Timeline overview