

**Data Protection Act 1998
Undertaking follow-up**

**St Helens Metropolitan Borough Council
ICO Reference: ENF0512423**

On 8 December 2014 the Information Commissioner's Office (ICO) conducted a follow-up assessment of the actions taken by St Helens Metropolitan Borough Council (SHMBC) in relation to the undertaking it signed on 23 June 2014.

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 SHMBC supplied to demonstrate the action it had taken in respect of the undertaking requirements. This comprised of:

- Subject Access Request Procedure. This was approved in September 2014.
- Redaction Procedure. This was approved in September 2014.

The review demonstrated that SHMBC has taken appropriate steps and put plans in place to address the requirements of the undertaking and to mitigate the risks highlighted.

SHMBC confirmed that it has taken the following steps:

- A secondary peer checking process has been included in the Subject Access Request Procedure which was introduced in September 2014 (also referenced in the procedures identified in response to recommendation No 5.
- An email has been sent to all partner organisations involved in the statement process advising them to remove any unnecessary personal data before providing it to the Council.

- Data Protection refresher training has been made mandatory for all staff and is being conducted through the online training platform and Manager briefings. As of the end of September 2014 63% of staff have received the required training. A reminder has been sent to all Information Management Group (IMG) representatives asking them to ensure that the remaining 37% receive appropriate training by 30th November 2014.
- All data breaches are reported to the Information Management Group (IMG), including action taken, and the IMG representatives are responsible for reporting outcomes back to Management Teams.
- A Subject Access Request Procedure and Redaction Procedure were both implemented in September 2014.

However, SHMBC should take further action to ensure that:

- the remaining 37% highlighted above have completed their appropriate training.

Date issued: 11 December 2014

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 St Helens Metropolitan Borough 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.