

Data Protection Act 1998 Undertaking follow-up

Wirral Metropolitan Borough Council Undertaking ICO Reference: ENF0496547 and ENF0491817

On 29 August 2014 the Information Commissioner's Office (ICO) conducted a follow-up assessment of the actions taken by Wirral Metropolitan Borough Council (MBC) in relation to the undertaking it signed on 09 April 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 Wirral MBC supplied to demonstrate the action it had taken in respect of the undertaking requirements. This included guidance documents in respect of sending confidential information by post, secure printing, responding to information requests, an Information Governance Policy and a Data Protection Policy.

The review demonstrated that

Wirral MBC has taken appropriate steps and put plans in place to address some of the requirements of the undertaking, however further work needs to be completed by Wirral MBC to fully address the agreed actions.

In particular Wirral MBC confirmed that it has taken the following steps:

- Processes have been put in place to ensure that documents are sent to the correct addresses and these processes are communicated to staff in a guidance document which is published on Wirral MBC's intranet.
- The secure/locked printing function has been implemented where printers have this functionality.
- Training completion is monitored and follow up occurs with line managers where staff have not attended.
- New guidance documents have been created to ensure that staff are aware of how to comply with the Data Protection Act. These have been communicated via the staff intranet.

However Wirral MBC should take further action with regards the following:

- Where printers do not have the secure/locked printing function, Wirral MBC should implement their plan to replace them with printers that include this functionality as soon as possible.
- Policies and procedures should be reviewed periodically to ensure they remain fit for purpose. This should include the Data Protection Policy which has not been reviewed since 2011.
- All staff that have yet to complete data protection related training should do so as soon as possible.
- Identify a review date for training materials and ensure the review takes place so that training materials remain relevant and up to date with organisational policy, changes in legislation and ICO guidance.
- In the future, staff should complete data protection related refresher training periodically.

Date Issued: 29 August 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 Wirral MBC.

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.