

**EXECUTIVE BOARD**  
**26<sup>TH</sup> MARCH 2018**

**REVISED HANDLING PERSONAL INFORMATION AND BREACH  
REPORTING & RESPONSE POLICIES**

**Purpose:** To revise and update the above policies in order to accommodate changes brought by the introduction of the new General Data Protection Regulation in May 2018.

**Recommendations / key decisions required:**

- **To endorse the revised draft policies**

Reasons: Compliance with new Data Protection legislation

Relevant scrutiny committee to be consulted NO

Exec Board Decision Required YES

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr Mair Stephens

Directorate: Chief Executive's

Designations:

Tel Nos.

Name of Head of Service:  
Wendy Walters

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Policy

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**EXECUTIVE SUMMARY  
EXECUTIVE BOARD  
26<sup>TH</sup> MARCH 2018**

**Revised Handling Personal Information and Breach  
Reporting & Response Policies**

**BRIEF SUMMARY OF PURPOSE OF REPORT.**

From 25<sup>th</sup> May, 2018, the new General Data Protection Regulation (GDPR) will come into force across the European Union and in the UK, replacing the provisions of the current Data Protection Act 1998.

Existing policies on Handling Personal Information and Breach Reporting & Response have therefore been reviewed in order to:

- Remove references to outdated legislation (after May 2018);
- Reflect technological changes, for instance, the removal of fax machines;
- Reflect the requirements of the GDPR.

However, it should be noted that the procedures and key principles set out in both documents have not changed substantially.

**DETAILED REPORT ATTACHED ?**

**NO**

**IMPLICATIONS**

**I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :**

**Signed:** Wendy Walters

**Director of Regeneration and Policy**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>YES</b>	<b>YES</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

**1. Policy, Crime & Disorder and Equalities**

As a result of changes to Data Protection legislation in 2018, it has been necessary to review and amend policies on Handling Personal Information and Breach Reporting & Response.

## 2. Legal

The changes to the policies are in large part required to comply with the new GDPR – there would be potential legal implications if the policies were not revised.

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Wendy Walters

Director of Regeneration

**1. Scrutiny Committee** Not applicable

**2. Local Member(s)** Not applicable

**3. Community / Town Council** Not applicable

**4. Relevant Partners** Not applicable

**5. Staff Side Representatives and other Organisations** Not applicable

### Section 100D Local Government Act, 1972 – Access to Information

#### List of Background Papers used in the preparation of this report:

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Official Journal of the European Union - General Data Protection Regulation	2016/679	EU website
Information Commissioner's Office – Guide to the General Data Protection Regulation (21 November 2017 – 1.0.2)	N/A	ICO website
Article 29 Working Party – Guidelines on Personal data breach notification under Regulation 2016/679	17/EN WP250	EU website
Information Commissioner's Office – Guidance on data security breach management (2012 – version 2.1)	N/A	ICO website
Information Commissioner's Office – Notification of data security breaches to the Information Commissioner's Office (2017 – version 2.0)	N/A	ICO website