

**Report for:** Cabinet Member Signing – 30 November 2023

**Title:** Data Protection Policy

**Report authorised by :** Fiona Alderman, Head of Legal & Governance

**Lead Officer:** Sirkku Pietikäinen, Data Protection Officer

**Ward(s) affected:** All

**Report for Key/  
Non Key Decision:** Non key decision

**1. Describe the issue under consideration**

The Data Protection policy has been updated to ensure compliance with the new legislative requirements.

The safety and integrity of personal data is a matter of great importance to the public. The Data Protection policy sets out our statement of intent in ensuring we work to the high standards our residents and customers would expect.

The Cabinet Member for Finance and Local Investment is asked to approve this policy.

**2. Cabinet Member Introduction**  
N/A

**3. Recommendations**

That the Cabinet Member approves the Data Protection policy.

**4. Reasons for decision**

To ensure that this key policy is up-to-date and reflects the legislation.

**5. Alternative options considered**

N/A

**6. Background information**

The Data Protection policy has been reviewed and updated to ensure that the council complies with the with the new legislative requirements.

In addition, a recent internal audit report into Information Governance – Information Retention recommended:

*As per ICO recommendations “LB Haringey should update the existing Data Protection Policy and ensure all the tasks and responsibilities of the DPO as defined under Article 39 of the UK GDPR are documented.”*

The following changes has been made to the policy:

- Following the Brexit, the (EU) GDPR is now called UK GDPR.
- Paragraph 4.4 Full list of DPO’s responsibilities have been added to ensure the policy complies with the audit/ ICO recommendations.
- Paragraph 10. National Data Opt-Out for Health and Care Data. This is a new paragraph. The national data opt-out was introduced on 25 May 2018, enabling patients to opt-out from the use of their health data for research or planning purposes (secondary purposes). We are now required to include it in the Data Protection policy and our Privacy Notice.

It is essential that Data Protection policy is in place (along with the supporting procedural documents. This policy replaces the existing Data Protection Policy.

## **7. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes**

### **Resident experience, participation, and collaboration:**

- 1. Positive Resident Experience** - All residents, businesses and other stakeholders can easily access services which are designed and operated in a resident-centric way. Co-production puts resident voice and experience at the heart of everything we do. Positive interactions with the council will support better relationships with the community, increasing mutual trust and confidence.
- 2. Enabling Community Collaboration** - More residents participate and interact with community and peer-led activities and organisations. The council make this easier and more attractive to residents, where we can, recognising the role that civil society plays in community resilience and cohesion.
- 3. Developing Young Voice** - Young people are meaningfully involved in all the ways in which the wider public has an influence in how the borough is run. The council will play a facilitatory role in making this easier and more attractive, recognising that young people as a cohort have been historically under-represented in decision making.

## **8. Carbon and Climate Change**

N/A

## **9. Statutory Officers comments (Director of Finance (procurement), Head of Legal and Governance, Equalities)**

- **Finance** - Alex Altman, Business Partner

There are no direct financial implications arising from this report.

- **Procurement** -Bobbi Virgo, Procurement Strategic Partner (Care)

Strategic Procurement notes the contents of this report and confirms there are no Procurement related matters preventing the Cabinet member for Finance and Local Investments approving the recommendations in Paragraph 3 above.

- **Head of Legal & Governance** - Fiona Alderman, Head of Legal & Governance

The Legal comments are included in this report.

- **Equality**

The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share those protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not

The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic. This report details amendments to the Council's existing Data policy, due to legislative changes. These changes are not expected to impact negatively on protected groups.

The Council will continue to consider potential impacts and comply with existing equality obligations as part of the application of the Data Protection policy.

## 10. Use of Appendices

Data Protection Policy

## 11. Background papers

N/A

