



Creating a safer  
**Cambridgeshire**

**To:** Business Coordination Board

**From:** Chief Constable

**Date:** 12 April 2018

## **A report on new data protection regulations and the impact on the Constabulary**

### **1. Purpose**

- 1.1 The purpose of this report is to provide reassurance to the Business Co-ordination Board (the Board) regarding the systems and processes put in place by the Constabulary in order to comply with the Data Protection legislation and the General Data Protection Regulations (GDPR).

### **2. Background**

- 2.1. On the 25<sup>th</sup> May 2018, the Data Protection Act 1998 will be replaced by a new law which incorporates the implementation of the EU General Data Protection Regulation (GDPR) and the Law Enforcement directive (LED). This report outlines the Constabulary's readiness for compliance with the new legislation.

### **3. How have the current practices (Data Protection Act) been changed to comply with GDPR?**

- 3.1. The Data Protection Bill was published by the Government on the 14 September 2017 and aims to modernise Data Protection laws to ensure they are effective in the years to come.
- 3.2. The four main areas provided for in the Bill are general data processing, law enforcement data processing, data processing for national security purposes including processing by the intelligence services and regulatory oversight and enforcement.

- 3.3. It sets new standards for protecting personal data, in accordance with recent EU data protection laws, giving people more control over use of their data and provides support to organisations with their lawful processing of personal data.
- 3.4. The new legislation will take account of the European Union General Data Protection Regulation (GDPR) and the European Union Law Enforcement Directive (LED).
- 3.5. All organisations must comply with GDPR and all police forces and other law enforcement organisations must also comply with LED.
- 3.6. The new legislation enhances the existing eight data protection principles (see link in Bibliography) and includes a new principle of accountability where the data controller shall be responsible for, and be able to demonstrate compliance with, these principles.

#### **4. What impact will compliance with the new legislation have on the Constabulary?**

- 4.1. The new legislation will require greater accountability in the processing and retention of personal information. The Constabulary will need to be able to evidence the lawful processing conditions for all personal data.
- 4.2. The new legislation gives greater regulatory powers to the Information Commissioner and increased financial penalties for breaches.
- 4.3. The Information Commissioner is reported as saying that she remains committed to guiding, advising and educating organisations about how to comply with the law, and that this approach will not change under the GDPR.

#### **5. What governance arrangements have the Constabulary put in place to ensure compliance?**

- 5.1. A new Information Management Board has been created chaired by the Bedfordshire Cambridgeshire and Hertfordshire Senior Information Risk Owner, ACC Malik.
- 5.2. To support this Board, and the requirements of the new legislation, Information Asset Owners (IAO) have been identified and will receive training over the next two months. They will be supported by Information Asset Assistants (IAA).
- 5.3. A force lead, Detective Superintendent Middleton, has been appointed to chair the force IAO group for information and data quality. The force lead will also be a member of the Information Management Board.
- 5.4. An Information Asset Register (IAR) has been created and an audit will be undertaken by the IAO and IAAs of their information systems both electronic and manual.
- 5.5. A temporary project team has been created to support the implementation of the new legislation including the IAO training and audit.

#### **6. Recommendation**

- 6.1. The Board is recommended to note the contents of the report.

## BIBLIOGRAPHY

<b>Source Documents</b>	Data Protection principles: <a href="https://ico.org.uk/for-organisations/guide-to-data-protection/data-protection-principles/">https://ico.org.uk/for-organisations/guide-to-data-protection/data-protection-principles/</a>
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