

BOARD OF MANAGEMENT MEETING

Date of Meeting	13 December 2017
Paper Title	Preparations for General Data Protection Regulations (GDPR)
Agenda Item	17.108
Responsible Officer	Janet Thomson, Vice-Principal: Resources and College Development
Status	Non-Disclosable
Action	For Noting

1 REPORT PURPOSE

- 1.1 This paper provides a brief update on the College's preparations for GDPR which comes into force on 25 May 2018.

2 RECOMMENDATION

- 2.1 Members are invited to **note** the implications of this legislation on Glasgow Clyde College and the College's plans for preparing for this.

3 BACKGROUND AND COMMENTARY

- 3.1 The main impacts under GDPR are a number of changes to data protection legislation including:
- Enhanced rights in relation to personal information for individuals;
 - More onerous record keeping requirements in relation to data processing;
 - Privacy by Design will require that data protection is designed into the development of all business processes for products and services;
 - Requirement to appoint a Data Protection Officer;
 - Stricter rules for the legal basis of consent to data processing;
 - Changes to the subject access request regime; and
 - New principles of accountability, transparency and data minimisation.
- 3.2 There are a number of stages to be taken forward in relation to GDPR which are broadly summarised below based on a presentation given by Thorntons at a recent seminar attended by the College's Advanced Procurement for Universities and Colleges (APUC) representative.

Step 1: Engage with Management

Step 2: Identify a Team

Step 3: Data Mapping

Step 4: Gap Analysis

Step 5: Training

Step 6: Implementation

Step 7: Post GDPR

- 3.3 With regard to Step 1 engaging with management, Strategic Management Team (SMT) members had training on GDPR and the implications for the College, by Anderson Strathern in June 2017, to provide awareness of the implications of GDPR and the resource requirements. The SMT session highlighted the responsibilities for the College and emphasised the new role of the independent Data Protection Officer who has to report to the highest level in the organisation, and who needs to be protected from a conflict of interest.
- 3.4 A team has been identified within the College which covers a range of roles around information management. This team will continue to meet through to implementation date either as a full group or as relevant sub groups based on stages and detail involved.
- 3.5 It was agreed by the team to seek assistance for preparation for GDPR particularly with the data mapping and gap analysis steps and a tender process is being undertaken for GDPR services, however this will be dependent upon affordability of these services.
- 3.6 Discussions have been held with the College APUC representative on taking this forward. We are seeking costs for assistance with steps 3, and 4 above i.e. Data Mapping and Gap Analysis, plus an assessment of costs for steps 5, 6 and 7 should we wish to pursue these through the framework, although the College may be able to access these services in-house or elsewhere. The timescale is to have the data mapping and gap analysis work completed, with the involvement of key staff across the College, by end February 2018.
- 3.7 The Glasgow Colleges are looking to work together on moving this forward and four members of staff attended staff awareness sessions at Glasgow Kelvin College on 1 December 2017. Glasgow Clyde College plan to run a series of awareness training sessions for our staff which will be part of step 5 in January/February 2018. Also six staff from the College are attending 2 day GDPR Foundation Training which Kelvin have sourced at a reduced rate on 18 and 19 December 2017 which will provide a strong base for moving forward.
- 3.8 It is not, however, underestimated how resource intensive this process will be in terms of reviewing such a wide range of processes, policies and systems in a relatively short time, so this will require key staff to commit required time to it particularly during quarter 1 of 2018. We are discussing with the other two Glasgow Colleges how they are approaching the significant workload and we will share some of this where we can and it is appropriate.
- 3.9 As part of the internal audit plan for 2017/18 Henderson Loggie will be reviewing the College's preparations for GDPR in February 2018.
- 3.10 There is an opportunity in preparing for the GDPR for improvement in Information Management across the College, however, this will have to be

done over a relatively short timescale and involve all forms of information, e.g. paper files stored in cupboards, spreadsheets, ad hoc downloads, etc.

- 3.11 APUC are offering a shared service for the new independent Data Protection Officer role to be available after GDPR implementation date of next May and the College has expressed an interest in this service. This would cover the potential conflict of interest issues for this role and would avoid the College having to appoint an additional direct part-time staff member. Again the ability to access this service will be based on affordability. There was a meeting of interested parties on this is on 9 November 2017 and the College indicated it was interested in sharing this service for the future.
- 3.12 This is the first report to the Board of Management on GDPR and further progress reports will be submitted to the Audit Committee and the Board of Management from now through to the implementation date in May.

4 RESOURCES

There are substantial resources implications in reviewing the related College procedures, training of staff and in enabling behavioural change in relation to record keeping. There are direct resource implications in accessing the services described above.

5 RISK ANALYSIS

- 5.1 This is a legal requirement and there are significant financial risks of non-compliance with GDPR i.e. up to 4% of turnover.

6 LEGAL IMPLICATIONS

- 6.1 This is a legal requirement and there are significant financial risks of non-compliance with GDPR i.e. up to 4% of turnover.

7 FINANCIAL IMPLICATIONS

- 7.1 This is a legal requirement and there are significant financial risks of non-compliance with GDPR i.e. up to 4% of turnover.

8 REGIONAL OUTCOME AGREEMENT IMPLICATIONS

- 8.1 There are no specific Regional Outcome Agreement implications. All three of the Glasgow Colleges and the GCRB are required to comply with GDPR so there is likely to be a need to set up data sharing agreements between the College and GCRB.

9 HAS AN EQUALITY IMPACT ASSESSMENT BEEN CARRIED OUT?

- 9.1 N/A