

Report to	Executive Panel	
Date	12/02/18	
Lead Officer	Assistant Chief Officer (Corporate Policy and Performance) Shân Morris	
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Subject	European Union General Data Protection Regulation	

PURPOSE OF REPORT

- 1 To inform the Executive Panel of the North Wales Fire and Rescue Service (NWFRS) implementation plan to ensure compliance with the European Union (EU) General Data Protection Regulation (GDPR).

EXECUTIVE SUMMARY

- 2 The GDPR comes into effect on 25 May 2018 and is a regulation which is intended to strengthen and unify data protection for all individuals within the EU.
- 3 The United Kingdom will still be a member of the EU on the date that the GDPR comes into force and is, therefore, required to comply with the Regulation.

RECOMMENDATIONS

- 4 To note the actions being taken by NWFRS to comply with the GDPR.

BACKGROUND

- 5 The GDPR is the result of four years of work by the EU to bring data protection legislation into line with new, previously unforeseen ways that data is now used.
- 6 Currently the UK relies on the Data Protection Act 1998, but this will be superseded by the new legislation. It introduces tougher fines for non-compliance and data breaches, and gives people more say over what organisations can do with their data.
- 7 The Data Protection Bill, which has just had its first reading in the House of Commons, is a piece of UK legislation designed to incorporate the requirements of the GDPR into UK law. Once the bill is passed, it will help to clarify the regulations for protecting data once the UK leaves the EU.

INFORMATION

- 8 Significant new requirements of the GDPR include:
- a. The need for public authorities to have in place, from 25 May 2018, a Data Protection Officer (DPO), who reports to the highest management level of the organisation, operates independently, is not dismissed or penalised for performing their task, and is provided with adequate resources in order to meet their GDPR obligations.
 - b. The requirement to report any breach of personal data to the supervisory authority (the Information Commissioner's Office) within 72 hours of becoming aware of that breach. Failure to notify a breach when required to do so can result in a fine of up to €10 million or 2 percent of turnover.
 - c. A general obligation to implement technical and organisational measures to show that the organisation has considered and integrated data protection into its processing activities, i.e. data protection by design and default.
- 9 A GDPR Implementation Plan and Project Initiation Document have been reviewed and approved by the Executive Group. A project team of existing NWFRS staff has been established, with arrangements in place for regular reporting and monitoring of progress to ensure delivery of the plan.

IMPLICATIONS

Wellbeing Objectives	None identified.
Budget	Additional costs (not yet quantifiable) arising from the requirement to have a DPO in place after 25 May 2018. Possible expenditure on appropriate technical measures to facilitate compliance.
Legal	Requirement to comply with the new legislation.
Staffing	Existing staff forming implementation project team. The effect on staffing will be clarified when the decision is taken on how the DPO role is to be provided.
Equalities/Human Rights/ Welsh Language	None identified.
Risks	Non-compliance with legal requirements, fines, reputational damage.