

**Resources and General Purposes Committee – 10th November 2024**

**Item 7(b) Information Governance Update**

**This paper provides a summary of current and planned activity in the areas above to provide an update for the Resources and General Purposes Committee. Where the approval/ratification of the Committee is required, this is highlighted at the appropriate points.**

This update covers the period of April 2024 – September 2024 and all areas of information compliance including; UK GDPR, Privacy and Electronic Communication Regulations, Freedom of Information (Scotland) Act, Environmental Information (Scotland) Regulation and the governance of records management that supports compliance in these legislative areas.

**Data Protection**

**Personal Data Breaches**

All information security incidents are notified to the Data Protection Officer under the Information Security Incident Procedures and a full register is maintained.

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| --- | --- | --- |
|  | **Current Reporting Period****April 2024 – September 2024** | **Previous Reporting Period****October 23 – March 24** |
| Breaches reported | 12 | 20 |
| Notified to the ICO | 0 | 1 |

No breaches met the threshold to notify to the ICO. Over 50% of breaches were related to incidents caused by email.

**Data Subject Rights Requests**

The most common rights request received by the college is the right of access, known as a subject access request.

|  |  |  |
| --- | --- | --- |
| **Request Type** | **Current Reporting Period****April 2024 – September 2024** | **Previous Reporting Period****October 23 – March 24** |
| Right of Access | 6 | 7 |
| Right to Erasure | 0 | 1 |
|  |  |
| No. of Late Responses | 0 | 0 |

NCL must respond to all requests within one calendar month, unless the request is considered complex. All requests were completed within one calendar month.

**Staff Training and Awareness**

The Data Protection e learning module now forms part of the All Staff Essential Learning and was updated for the 24/25 academic year. The modules are delivered via Moodle and is available to all Staff and Board members. 90% of staff have completed the Data Protection Module this year.

**Complaints to the Regulator**

There has been no contact from the Information Commissioners Officer (ICO) in relation to any complaints that been made to them on how we process personal data or handle data subject rights requests.

**Data Protection Internal Audit**

The GDPR internal audit was included as part of the Follow-up audit carried out July 2024. Evidence was summited to the auditor on each of the 3 outstanding recommendations.

The table in [Appendix 1](#_Appendix_1) provides an update on each of the internal audit recommendations.

**Freedom of Information**

|  |  |  |
| --- | --- | --- |
| **Request Type** | **Current Reporting Period****April 2024 – September 2024** | **Previous Reporting Period****October 23 – March 24** |
| FOISA Requests | 12 | 24 |
| EIR Requests | 0 | 0 |
| Requests for Review | 0 | 0 |
|  |  |
| No. of Late Responses | 0 | 2 |

The requests included information on: agency spend; ICT systems and budgets; job evaluation processes; voluntary severance, industrial action and violent incidents.

**Complaints to the Regulator**

There has been no contact from the Scottish Information Commissioner (SIC) in relation to any complaints or appeals that been made to them on how we have responded to any requests under the Freedom of Information (Scotland) Act.

Lorna Miller

**Information Governance Lead**

November 2024

# **Appendix 1**

|  |  |  |  |
| --- | --- | --- | --- |
| **Priority** | **Recommendation** | **Status** | **Progress Update** |
| Medium | **Policies and Procedures****Risk -** There is a risk that staff do not know how to handle personal data to ensure no contraventions of UK GDPRRegraded to medium from high during follow-up audit. | In progress |

|  |  |
| --- | --- |
| **Subject** | **Status** |
| Records Management Policy | IGG reviewed and to be progressed to wider consultation |
| Records Retention Policy and Schedule | In draft. Started distribution between departments to review proposed retention periods based on JISC records retention schedule. |
| Information Classification and Handling procedure | In draft. Classifications agreed, supporting decision on handling have been documented and in initial consultation with ICT. |
| Data Sharing procedures | In draft – with IGG for consultation |

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| High | **Information Audits****Risk -** There is a risk that we are unaware of all information assets and processing activities. This would make it difficult to evidence that information was being used and protected appropriately. Regraded to medium from high during follow-up audit. | In progress | Due to the resource implications this has been delayed through 23/24. A paper was approved by EB requesting ongoing support to progress to completion by December 2024. There is now regular reporting on progress to the EB.**Completed:** Student Funding, Procurement, Information Governance, Staff Development Academy, Estates, EDI, Finance, H&S, ELS, Human Resources, Student Advisors and Admissions.**In progress:** Student Records, ICT, External Funding, Brand, Culinary Arts, Innovation, Library, Safeguarding and Quality. |
| Low | **Privacy Notices****Risk -** There is a risk that individuals are not fully aware of what the purposes their data will be used and the lawful basis | Completed(Pending next Follow-up Audit) | All actions required to close this audit recommendation have now been completed. Evidence of this will be submitted to the Internal Auditors at the next Follow-up review. |