

23 September 2025

DATA PROTECTION UPDATE

1. Purpose

To provide a Data Protection update to Executive Board members covering our response to the GIAA Data Protection Audit and to report an apparent increase in potential data breach reporting.

2. Background/Introduction

GIAA provided the FC with a report on the 31 March 2025 detailing their findings following a review of the FC's Data Protection Compliance and Data Governance. The report provided a 'limited assurance' rating with 9 recommendations with associated management actions (1 recommendation was a high priority, 6 were medium and 2 were low).

The Data Protection Officer has been working with Data Protection representatives from across the business (FS, FE and FR) to take forward the recommendations. This includes creating a Data Protection Group whose initial focus has been on responding to the audit recommendations before becoming the forum to oversee our data protection work across the organisation. The Terms of Reference of this group were approved by the FC Security and Risk Management Forum at its meeting in September.

3. GIAA Audit Progress

The ARAC are monitoring progress on the delivery of the recommendations with progress being detailed below:

- A data protection group has been established with agreed Terms of Reference which brings together representatives from across the business.
- We have also established a Data Protection SharePoint site to share information across the business.
- We have established a generic data protection email address for use across the business to both report issues and seek advice and support.
- Our Data Protection Policy has been reviewed by the group and is currently with SRMF Members for approval.

Areas which are still to be progressed include, reviewing our training requirements, ensuring arrangements are in place to delete personal data are built into new systems and the use of a central logs to record requests for personal data / data breaches.

4. Increase in Potential Data Protection breaches

We have seen an increase in reporting of potential data protection breaches with 4 incidents being reported over a two-week period. It's positive to note that staff are reaching out to seek support over data protection issues, but it also highlights a need to ensure staff are aware of their obligations to protect personal data.

None of the incidents have reached the threshold for reporting to the ICO but we do need to demonstrate that we investigate reported breaches and record any appropriate remedial actions. Appendix 1 contains an overview of the recent incidents and the suggested actions. Appendix 2 contains a suggested data protection update to remind staff of their responsibilities to protect data.

5. Recommendation

- Note the progress being made to respond to the GIAA Audit with the detail being considered through the ARAC and the SRMF.
- Note that a revised FC Data Protection Policy has been drafted with support from the Data Protection Group. This is currently with SRMF members for approval in order to respond to the recommendation 3 in the GIAA audit.
- Note the increase in data protection breach reporting (Appendix 1) and to provide feedback on the update to staff to help highlight the importance of keeping personal data secure (Appendix 2)

Secretary to the Commissioners
15 September 2025