

## PFCC Decision Report

Please ensure all sections below are completed

**Report reference number:** 067 21

**Classification** (e.g. Not protectively marked/restricted):

**Title of report:** BLS Stay Compliant Data Protection Support

**Area of county / stakeholders affected:** Countywide

**Report by:** Darren Horsman

**Date of report:** 27/04/2021

**Enquiries to:** Darren.Horsman@essex.police.uk

### 1. Purpose of the report

To seek agreement for contracting BLS Stay Compliant for up to 12 hours of specialist support for our Data Protection Officer covering data protection legislation, best practice, implementation, and advice.

### 2. Recommendations

The PFCC agrees to contract BLS Stay Compliant for up to 12 hours of specialist support to be provided during 2021-2022 at a cost of £2250 + VAT.

### 3. Benefits of the proposal

PFCC's operate within an unusual area within data protection legislation with significant responsibilities for data provided to the services they commission and the organisations they have governance responsibilities over. Recent ICO work with PFCC's nationally has re stated the importance for PFCC's to have good quality internal capability and sound advice in this area.

The 12 hours of support being contracted BLS Stay Complaint will support the ongoing development of our internal capacity in this area and provide specialist expert advice on specific areas. This will provide reassurance that the Commissioner and their team are

managing the risks around our data management appropriately and with sufficient senior oversight.

BLS Stay Compliant work with a number of different PCCs and have a good track record of providing sound advice on affective ongoing development and mentoring.

#### **4. Background and proposal**

As a result of the 2019 GDPR internal audit the opportunity was taken through the 2020 PFCC office restructure to appoint a new Data Protection Officer and SIRO. These roles provided greater clarity of responsibility within the office and enabled a regular review process and development schedule to be put in place.

Following significant research, BLS Stay Complaint was contracted to provide specialist training for these positions and ongoing mentoring, advice and guidance for the Data Protection Officer. At the same time, they were also used to provide expert external advice and guidance as the PFCC's data protection framework was established.

Now that the framework has been established and is being implemented the demand for support has reduced, however, lower levels of ongoing support, as set out in the decision sheet, are required as we conclude the review of the PFCC office's handling of data and fully embed the framework.

This proposal reduces the level of support to a single hour per month which it is believed is a sustainable level going forward. This agreement is for 12 months after which the level of support will be reviewed.

#### **5. Alternative options considered and rejected**

It is possible for the PFCC not to contract for this additional external support. While this is an option it is not recommended as in the view of the SIRO and the DPO this would leave the PFCC open to the risk of having insufficiently robust processes and procedures to be adequately reassured that the PFCC is fulfilling their responsibilities under the Data Protection Act.

It is also possible that the PFCC could contract a different provider, however, after researching a number of different providers and getting feedback from other PCC offices it is recommended that BLS Stay Compliant provide a good level of service at an appropriate price.

#### **6. Police and Crime Plan**

To maintain confidence in the PFCC, Essex Police and Essex County Fire and Rescue Service the PFCC must handle data appropriately and be seen to be compliant with Data Protection legislation. This decision will support this and help achieve the public confidence set out as a key measure within the Police and Crime Plan and Fire and Rescue Plan.

#### **7. Police operational implications**

There are no operational policing implications.

**8. Financial implications**

This support will cost £2250 + VAT which will be funded from the PFCC's office budget.

**9. Legal implications**

This decision will support the PFCC's ability to fully comply and provide reassurance of that compliance with the Data Protection Act requirements.

**10. Staffing implications**

This will provide additional support and guidance for the Data Protection Officer.

**11. Equality and Diversity implications**

There are no direct equality and diversity implications from this decision.

**12. Risks**

This decision will mitigate against the risk that the PFCC won't comply with their statutory responsibilities.

**13. Governance Boards**

This proposal has been discussed as the PFCC's Senior Management Team.

**14. Background papers**

Appendix 1 – BLS Stay Compliant Proposal

**Report Approval**

The report will be signed off by the OPFCC Chief Executive and Treasurer prior to review and sign off by the PFCC / DPFCC.

Chief Executive / M.O.

Sign:  .....

Print: Darren Horsman - Deputy MO .....

Date: 28.4.2021 .....



**Decision and Final Sign Off**

I agree the recommendations to this report:

**Sign:** 

**Print:** ROGER HIRST

**PFCC/Deputy PFCC**

**Date signed:** 4 May 2021

I do not agree the recommendations to this report because:

.....  
.....  
.....

**Sign:**

**Print:**

**PFCC/Deputy PFCC**

**Date signed:**