

## PFCC Decision Report

**Please ensure all sections below are completed**

**Report reference number:** 047 - 22

**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

**Chief Officer:** Darren Horsman

**Date of report:** 10/03/2022

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

### 1. Executive Summary

This report seeks to gain 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 2022/23 at a cost of £2,700 and a further 12 hours during 2023/24 at a cost of £2,760. In total this will be £5,460.

### 3. Background to the 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 24 months after which the level of support will be reviewed.

#### **4. Proposal and Associated Benefits**

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.

#### **5. Options Analysis**

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. Consultation and Engagement**

We have engaged with our Data Protection Officer and colleagues in other PFCC offices to ensure this level of support is appropriate.

## **7. Strategic Links**

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.

## **8. Police operational implications**

There are no operational policing implications.

## **9. Financial implications**

This support will cost £5,460 over the two years 2022/23 and 2023/24 which will be funded from the PFCC's office budget. £2,700 is budgeted for within the Communication and Engagement PFCC budget for 2022/23 and it is anticipated £2,760 will be available within the 2023/24 budget.

## **10. 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.

## **11. Staffing implications**

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

## **12. Equality, Diversity and Inclusion implications**

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

## **13. Risks and Mitigations**

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

## **14. Governance Boards**

This proposal has been discussed at the PFCC's Senior Management Team on the 15<sup>th</sup> of March who were supportive of this continued level of support.

## **15. Links to Future Plans**


This proposal is part of our ongoing Data Protection work.

## **16. Background Papers and Appendices**

Appendix 1 – BLS Stay Compliant Email Proposal (Not for Publication)  
**Report Approval**

The report will be signed off by the PFCC's Chief Executive and Chief Finance Officer prior to review and sign off by the PFCC / DPFCC.

Chief Executive / M.O.

Sign:  .....

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

Date: 14.4.2022 .....

Chief Finance Officer

Sign:  .....

Print: Janet Perry .....

Date: 14 April 2022 .....

**Publication**

Is the report for publication?

YES

NO

If 'NO', please give reasons for non-publication (Where relevant, cite the security classification of the document(s). State 'None' if applicable)

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If the report is not for publication, the Chief Executive will decide if and how the public can be informed of the decision.

**Redaction**

If the report is for publication, is redaction required:

1. Of Decision Sheet?

YES

2. Of Appendix?

YES

NO

NO

**If 'YES', please provide details of required redaction:**

Do not publish email attachment as it includes personal data and all relevant data has been incorporated into this decision report.

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**Date redaction carried out:** .....

**Chief Finance Officer / Chief Executive Sign Off – for Redactions only**

If redaction is required, the Treasurer or Chief Executive is to sign off that redaction has been completed.

**Sign:** .....

**Print:** .....

**Chief Executive / Chief Finance Officer**

**Decision and Final Sign Off**

I agree the recommendations to this report:

**Sign:** 

**Print:** Roger Hirst

**PFCC**

**Date signed:** 20 April 2022

I do not agree the recommendations to this report because:

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

**Sign:**

**Print:**

**PFCC/Deputy PFCC**

**Date signed:**