

<b>CYNGOR SIR YNYS MÔN / ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Meeting:</b>	Audit & Governance Committee
<b>Date:</b>	9 December 2021
<b>Title of Report:</b>	Anglesey Schools Annual Information Governance Assurance Report- November 2021
<b>Purpose of the Report:</b>	To inform members as to the level of data protection compliance and risk in relation to schools and to summarise current priorities
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### **Purpose of this report**

To provide the Audit and Governance Committee with the Schools Data Protection Officer's analysis of the key Information Governance (IG) issues for the period July 2020 to November 2021 and to summarise current priorities.

### **Introduction**

This report provides the Schools Data Protection Officer's statement and an overview of the Anglesey primary, secondary and special schools' compliance with legal requirements in handling school information, including compliance with the United Kingdom's General Data Protection Regulation (UK GDPR); Data Protection Act 2018 and relevant codes of practice.

The report also provides details of actions taken since the last report (July 2020) to provide schools with policies and documents to support schools in complying with data protection legislation. It also provides details regarding the content of the *Schools Data Protection Plan 2021-2022* and progress to-date against the plan and also what was achieved against the *Support Plan for Schools- Schools Data Protection Policies and Procedures 2020-21*.

It must be noted that this period has been particularly challenging for schools due to dealing with the Covid 19 global pandemic and it has been extremely difficult for schools to prioritise anything other than keeping schools running and providing education whilst also dealing with staff shortages and other challenges that they have had to, and are still dealing with now.

### **Schools Data Protection Officer Statement**

Since the last report, issued in July 2020, due to the Covid 19 pandemic, schools have not been in a position to be able to progress the data protection programme as quickly as would normally be the case. Many priorities and actions were identified in

the last report, but it has been difficult for schools to give a greater level of priority to this work due to dealing with the pandemic. Also, due to a period of long term absence of myself as the Schools Data Protection Officer, some aspects of the plan have been moved forward. External support is being provided by Cwmni Celyn in relation to some of the actions and pieces of work within this plan.

Targets have been reviewed several times, but despite the pandemic and the long term sickness of myself, some progress has been made in terms of adopting key data protection policies. Significant work has also been undertaken in upgrading the schools' ICT systems and infrastructure by transferring to the Hwb cloud services.

The day to day information management **practices** within the schools are still acceptable and there have been positive steps. All schools are registered with the Information Commissioner's Office (ICO) and are paying their annual data protection fee and all schools have adopted the statutory Schools Data Protection Policy. All schools have registered for the Wales Accord on the Sharing of Personal Information (WASPI) since July 2020. There is also an increase in the number of contacts I as the Schools Data Protection Officer receive from schools asking for advice and guidance.

However, further work still needs to be done on ensuring that all key data protection policies and documents have been adopted and that schools are monitoring and can evidence their compliance with these policies (it continues to be a responsibility of the school governing body to ensure all relevant policies are adopted, including statutory policies e.g. Data Protection Policy). There is still further work to be done to ensure that all schools have robust processes in place to deal with data breaches and data subject access requests.

Work still needs to be carried out to ensure that data protection risks are effectively managed and that appropriate agreements are in place with data processors. There is still more to do around identifying and delivering specific training for school staff, including the governing body, to ensure that everyone within the school structure is aware of their data protection responsibilities.

It is essential that the schools understand their responsibilities and implications as the data controller and the legal expectations that come as a result. I believe that schools do now better understand their data protection obligations and the importance of data protection and are now giving more priority to ensuring that actions are taken to comply with requirements under data protection legislation.

<b>Schools Data Protection Officer Assurance Assessment (November 2021)</b>	<b>Reasonable Assurance</b>
The process of beginning to have policies, processes and practices in place to comply with data protection legislation has started within the schools, but there is still more work to be done to have all schools on the same level and ensuring that schools have all the basic requirements in place to be complying with data protection legislation.	

## **Recommendations**

The Schools Data Protection Officer makes the following recommendations to the Committee, that:

- i. the Schools Data Protection Officer report, including the statement, is accepted;
- ii. the Committee endorses the Schools Data Protection Officer's proposed next steps- the Schools Data Protection Plan- in order to enable schools to fully operate in accordance with data protection requirements.

# **ANGLESEY SCHOOLS ANNUAL INFORMATION GOVERNANCE ASSURANCE REPORT**

**ELIN WILLIAMS, SCHOOLS DATA  
PROTECTION OFFICER**

**November 2021**

<b>Contents</b>	<b>Page</b>
1. Introduction	3
2. Conclusions and Actions Identified from July 2020 Report	4
2.1. Conclusions Identified from the July 2020 Report	4
2.2. Actions Identified from July 2020 Report	5
2.2.1. Policies, Guidance, Documents and Templates Shared with Schools	11
2.2.2. Data Protection Training	13
2.2.2.1. E-Learning	13
2.2.2.2. Data Protection Training Delivered by the Schools Data Protection Officer	13
3. Schools Data Protection Plan	14
3.1. Support Plan for Schools- Schools Data Protection Policies and Procedures 2020-21	14
3.2. Schools Data Protection Plan 2021-2022	14
3.2.1. Data Protection Policies and Documents	15
3.2.2. Develop a Policy Acceptance Process	15
3.2.3. Using the School Management Review (SMR) as a Monitoring Tool	16
3.2.4. Mapping Data Processors	16
3.2.5. Mapping the Data Flows between the Schools and the Council	16
3.2.6. Service Level Agreement for the Schools Data Protection Officer Service	16
3.2.7. Termly Schools Data Protection Up-Date and Newsletter	17
3.2.8. External Support for the Schools Data Protection Officer	17
4. Secondary Schools Cyber Incident	17
5. Schools Data Protection Officer Statement- November 2021	18
6. Conclusions and Next Steps	19

## 1. Introduction

This report provides the Schools Data Protection Officer's statement and an overview of the Anglesey primary, secondary and special schools' compliance with legal requirements in handling school information, including compliance with the United Kingdom's General Data Protection Regulation (UK GDPR); Data Protection Act 2018 and relevant codes of practice.

The report also provides details of actions taken since the last report (July 2020) to provide schools with policies and documents to support schools in complying with data protection legislation. It also provides details regarding the content of the *Schools Data Protection Plan 2021-2022* and progress to-date against the plan and also what was achieved against the *Support Plan for Schools- Schools Data Protection Policies and Procedures 2020-21*.

It must be noted that this period has been particularly challenging for schools due to dealing with the Covid-19 global pandemic and it has been extremely difficult for schools to prioritise anything other than keeping schools running and providing education whilst also dealing with staff shortages and other challenges that they have had to, and are still dealing with now.

These are the 45 schools on Anglesey that have signed-up to receive the support and guidance of the Schools Data Protection Officer:

### Primary Schools

Ysgol Gynradd Amlwch	Ysgol Esceifiog	Ysgol Llanfairpwll	Ysgol Penysarn
Ysgol Beaumaris	Ysgol Gymuned y Fali	Ysgol Llanfawr	Ysgol Rhoscolyn
Ysgol Gynradd Bodedern	Ysgol y Ffridd	Ysgol Llanfechell	Ysgol Rhosneigr
Ysgol Bodffordd	Ysgol Garreglefn	Ysgol Llangoed	Ysgol Rhosybol
Ysgol y Borth	Ysgol Goronwy Owen	Ysgol Llannerch-y-medd	Ysgol Rhyd y Llan
Ysgol Bryngwran	Ysgol y Graig	Ysgol Moelfre	Ysgol Santes Dwynwen
Ysgol Brynsiencyn	Ysgol Henblas	Ysgol Gymraeg Morswyn	Ysgol Santes Fair
Ysgol Cemaes	Ysgol Kingsland	Ysgol Parc y Bont	Ysgol Talwrn
Ysgol Corn Hir	Ysgol Llanbedrgoch	Ysgol Pencarnisiog	Ysgol y Tywyn
Ysgol Cybi	Ysgol Llandegfan	Ysgol Pentraeth	

### Secondary Schools

Ysgol Uwchradd Bodedern  
Ysgol Uwchradd Caergybi  
Ysgol David Hughes  
Ysgol Gyfun Llangefni  
Ysgol Syr Thomas Jones

### Special Schools

Canolfan Addysg y Bont

## **2. Conclusions and Actions Identified from July 2020 Report**

### **2.1. Conclusions Identified from the July 2020 Report**

The following were the conclusions identified in the July 2020 Report:

- Day-to-day information management **practices** within schools are generally acceptable but the majority of schools have not adopted key policies and documents as a number of these policies and documents were not created for schools prior to the appointment of the Schools Data Protection Officer. It is essential that current core policies and documents are adopted as soon as possible. Covid-19 has had an impact on the timetable for approving the key policies and documents but it is necessary to look to get these in place, in partnership with the schools, during the autumn term.
- There is a need to ensure that specific, effective and robust data protection processes are in place. This is in line with the key policies and documents. At present, there are no robust processes in place around handling breaches; handling data subject access requests; restricting access to personal information; the removal of personal data that has elapsed a retention period; managing data protection risks and creating Data Protection Impact Assessments for high risk processes.
- There is a need to ensure that schools have a *ROPA* (including data flow maps) and an Information Asset Register in place that are kept up-to-date.
- There is a need to ensure that schools have suitable and up-to-date Privacy Notices and that they are shared and are available to individuals and that data collection forms and consent forms include a summary of the Privacy Notice.
- There needs to be appropriate agreements in place with high level data processors and also with individual schools. The Schools Data Protection Officer will need to work with the schools to ensure that these are in place.
- The Schools Data Protection Officer needs to do more work with schools around the use of consent including reviewing the current forms.
- The training plan needs to be updated and schools ensure that all their staff have completed the online module.
- Work needs to be done to ensure that all school governing bodies are aware of their data protection responsibilities and how to ensure that schools comply. The school governing bodies will need to adopt the data protection policies on behalf of the schools and ask schools to demonstrate their compliance with these.

## 2.2. Actions Identified from July 2020 Report

The Schools Data Protection Officer had identified in 2020 what pieces of work needed to be done with the schools to ensure that they comply fully with data protection legislation and achieve what is expected of them as the data controller, who is ultimately responsible for ensuring that they process personal data legally.

The following actions were proposed as the next steps that needed to be taken to ensure that all schools operate in accordance with requirements. Progress to date relating to the actions to be taken have been noted as well as any further work that needs to be undertaken.

The *Schools Data Protection Plan* has since been reviewed in light of the data incident since the last reporting session:

### **RAG Status Key**

	On track to be fully completed
	A little behind in progress, but the majority of tasks are being completed
	Behind with progress, with some tasks being completed
	No progress



No	Action from 2020 following first evaluation visits to individual schools by the Schools Data Protection Officer	Progress to date against identified actions that needed to be actioned	Further work to be undertaken
1	<p>For the policies, guidance, key documents and final templates to be formally approved by the Senior Learning Service Management Team, in partnership with schools, so that schools can formally adopt them in autumn 2020.</p> <p>All policies and documents will be available on the <i>GDPR</i> section of Addysg Môn so that everything in terms of current data protection documents is available to schools in one place.</p> <p>The Schools Data Protection Officer has created the '<i>Anglesey Schools Data Protection Policy, Guidance and Key Documents Review Framework</i>' document which provides an update on the status of the different documents that need to be adopted by schools (up to July 2020).</p> <p><b>For schools to ensure that these policies have been formally adopted by the governing body and that they can demonstrate their compliance with the policies.</b></p>	<p>All policies submitted have been formally approved by the Learning Service Senior Management Team and shared with schools.</p> <p>Timeline for distributing documents to schools has been revised.</p> <p>All policies and documents shared are available on a dedicated data protection page on the new Learning Service microsite, where all policies, guidance and documents are available to schools.</p>	<p>To share remaining policies with the Learning Service Senior Management Team and schools.</p> <p>Governing bodies to formally adopt the policies.</p>
2	<p>For the Schools Data Protection Officer to undertake work with schools to get a <i>ROPA</i> (including data flow maps) and an Information Assets Register in place.</p>	<p>Mapping meetings have been, and are being held with schools, to map out which systems, programmes and apps schools use in relation to ensuring that appropriate data protection</p>	<p>To complete the mapping exercise and to create a final <i>ROPA</i> and Information Asset Register template that can be shared with schools.</p>

	To complete an Information Assets Register with a secondary school, and then share a primary and secondary template with the schools so that they can adapt it for their individual school.	<p>agreements are in place with data processors.</p> <p>A blank template and guidance have been developed for the ROPA and Information Assets Register.</p>	To then organise individual meetings with schools to amend the templates in order to create a unique <i>ROPA</i> and Information Asset Register for their school.
3	<p>For the Schools Data Protection Officer to work with schools on adopting policies and creating processes for effectively handling data breaches and data subject access requests.</p> <p>To provide training with relevant staff so that schools can effectively handle breaches.</p>	<p>Schools have been provided with a package of documents, including a policy on handling data breaches and with dealing with data subject access requests.</p> <p>Accompanying training sessions have been held to explain the contents of the documents. SDPO has also been supporting schools to respond to data subject access requests by supporting with redacting information.</p>	The Schools Data Protection Officer will continue to offer more training sessions to the schools.
4	<p>For the Schools Data Protection Officer to complete the work of creating Privacy Notices and sharing them with the schools to adapt and adopt them.</p> <p>Also, to ensure that data collection forms and consent forms contain a summary of the Privacy Notice.</p>	Privacy Notice templates shared with schools.	<p>Schools to ensure they adopt the latest versions of the Privacy Notices.</p> <p>SDPO to update data collection forms and consent forms and issue to schools.</p>
5	For the Schools Data Protection Officer to work with schools to ensure that appropriate agreements are in place with high level data processors and also with individual schools. To start this work during the autumn term.	Work has begun on reviewing which systems, programmes and apps individual schools use in order to understand which data processors schools work with, and confirm	To continue meeting with individual schools to confirm data processors and to ensure that there are appropriate data protection

		whether schools have appropriate data protection agreements in place.	<p>agreements in place with all data processors.</p> <p>To complete the mapping of data protection agreements.</p> <p>To arrange to have agreements where ones do not already exist.</p>
6	<p>For the Schools Data Protection Officer to undertake a piece of work and training sessions with schools around risk management and on how to complete Data Protection Impact Assessments.</p> <p>To review if Data Protection Impact Assessments have historically been undertaken for processing data that can be high risk and to work with schools to create any Data Protection Impact Assessments required. To start this work during the autumn term.</p>	<p>This work has not yet started but is included within the revised <i>Schools Data Protection Plan</i>.</p> <p>A Data Protection Impact Assessment (DPIA) Policy and data protection risk matrix have been developed.</p>	<p>To provide training around risk assessments.</p> <p>To share the Data Protection Impact Assessment (DPIA) Policy with schools.</p> <p>To start completing DPIAs with schools where one is required.</p>
7	<p>For the Schools Data Protection Officer to review the current consent forms and to do more work with schools around consent and create a photo-taking policy for the purpose of school publicity.</p>	<p>A review of the consent forms is underway.</p> <p>A photo-taking policy for the purpose of school publicity has been developed.</p>	<p>To complete the review of the current consent forms and to share new forms with schools.</p> <p>To share the photo-taking policy for the purpose of school publicity with schools to adopt.</p>

8	<p>For the Schools Data Protection Officer to work with schools to ensure that they have processes around who has access to specific personal information and that information is kept securely within the schools.</p> <p>Also, to do work with some schools in terms of disposing of old documents that have passed their retention period.</p>	<p>Work has begun. Access to information has formed part of moving school servers on to Hwb, but more work needs to be completed around this.</p> <p>The <i>Schools Retention Schedule</i> has been shared with schools again.</p> <p>Schools have received the '<i>Transferring School Records to the Anglesey Archives Policy</i>' to adopt which provides guidance of when to transfer documents to the Anglesey Archives.</p>	<p>To complete work around access to information and disposing of old documents.</p>
9	<p>For the Schools Data Protection Officer to reorganise governors' data protection training sessions and complete the creation of the <i>School Governing Body's Data Protection Guide</i>.</p> <p>For governing bodies to ensure that members complete the training and are aware of their data protection responsibilities.</p>	<p>A <i>Schools Governing Body Data Protection Guidance</i> has been created and shared, and training sessions continue to be held.</p>	<p>Schools to continue to encourage school governors to undertake data protection training.</p>
10	<p>For the Schools Data Protection Officer to update the general data protection training programme for school staff and governors.</p> <p>Also, to include more specific data protection training for relevant staff for the next 12 months e.g. to provide specific training around themes such as information risk management, records management and risk management.</p>	<p>Training sessions have been updated and held, this includes online training.</p>	<p>To continue holding more specific training for relevant school staff (e.g. dealing with data subject access request training for administrative staff) and to re-start providing general data protection training for school staff.</p>

	<p>To look at providing training through technology such as <i>Microsoft Teams</i> or <i>Zoom</i> as well as sessions within the schools.</p> <p>For schools to ensure that relevant staff complete the training so that they understand their data protection responsibilities.</p>	<p>Sessions have been held using Zoom, Teams and via the Learning Pool.</p>	<p>Support schools in encouraging a higher % of their staff having completed the online training.</p>
11	<p>For the Schools Data Protection Officer to prepare an annual data protection report from now on.</p> <p>The Learning Service Senior Management Team needs to confirm what will be included in the annual report but this is likely to be based on the number of breaches, the number of data subject requests, the number of data protection complaints, information around policies, a plan for next year, details of training and recommendations.</p> <p>It will also be based on pieces of work that the Schools Data Protection Officer will do in terms of monitoring schools' compliance with legislation, which will depend on looking for evidence of compliance by the schools.</p>	<p>Annual data protection report produced.</p> <p>Learning Service Senior Management Team has confirmed that future reports should include:</p> <ul style="list-style-type: none"> <li>• the number of reported breaches,</li> <li>• the number of data subject requests,</li> <li>• the number of data protection complaints,</li> <li>• which policies have been updated/shared</li> <li>• training that has been offered during the course of the year i.e. to who and when</li> <li>• recommendations (based on lessons learned) to be considered for next year's development programme</li> </ul>	<p>Schools will be required to report the number of data breaches; data subject access requests and data protection complaints going forward.</p> <p>The Schools Data Protection Officer will be conducting a data protection audit of all schools and will be monitoring general data protection compliance.</p>

### 2.2.1. Policies, Guidance, Documents and Templates Shared with Schools

One of the main issues identified in July 2020 was that the majority of schools did not have current key policies and documents in place as a number of these policies and documents were not created for schools prior to the appointment of the Schools Data Protection Officer.

As it is essential that core policies and documents are adopted by the schools, the Schools Data Protection Officer has created and has shared the following policies, guidance, documents and templates with the schools to adopt and to use:

<b>Policy, Guidance, Key Documents</b>	<b>Shared with the Schools by the Schools Data Protection Officer</b>
Schools Retention Period Document	Shared again in <b>July 2020</b> and <b>July 2021</b> (first shared with schools in 2018)
Schools Data Protection Policy (statutory policy)	<b>December 2020</b>
<b>Schools Data Breach Package:</b> <ul style="list-style-type: none"> <li>• Schools Data Breach Policy</li> <li>• Schools Data Breach Guidance</li> <li>• Schools Data Breach Investigation Form</li> <li>• Schools Data Breach Log</li> <li>• Schools Data Breach Report to the School Governing Body</li> </ul>	<b>January 2021</b>  Version 2 shared in <b>October 2021</b> (updated since moving from GDPR to UK GDPR with new policy and document banner)- except for the Schools Data Breach Log
<b>Schools Information Security Package:</b> <ul style="list-style-type: none"> <li>• Schools Information Security Policy</li> <li>• Schools Information Security Audit Form</li> </ul>	<b>January 2021</b>  Version 2 shared in <b>October 2021</b> (updated since moving from GDPR to UK GDPR with new policy and document banner)
<b>Privacy Notice (statutory requirement):</b> <ul style="list-style-type: none"> <li>• Schools Privacy Notice- Primary / Secondary</li> <li>• Schools Privacy Notice- School Workforce</li> <li>• Schools Privacy Notice- Children &amp; Young People's Version</li> </ul>	<b>January 2021.</b>  Version 2 shared in <b>October 2021</b> (updated since moving from GDPR to UK

	GDPR and with new policy and document banner)
Schools Governing Body Data Protection Guidance	<b>January 2021</b>  Version 2 shared in <b>October 2021</b> (updated since moving from GDPR to UK GDPR and with new policy and document banner)
Procedure for Sharing Information with Police Authorities in the United Kingdom (Gwynedd & Anglesey)	<b>July 2021</b>  Version 2 shared in <b>October 2021</b> (updated with new policy and document banner)
<b>Schools Data Subject Access Request Package:</b> <ul style="list-style-type: none"> <li>• Schools Data Subject Access Request Policy</li> <li>• Schools Data Subject Access Request Log</li> <li>• Schools Data Subject Access Request Form</li> <li>• Schools Data Subject Access Request Acknowledgement Letter Template</li> <li>• Schools Data Subject Access Request Extension Letter Template</li> <li>• Schools Data Subject Access Request Response Letter Template</li> <li>• Subject Access Code of Practice ICO Document</li> </ul>	<b>July 2021</b>  Version 2 shared in <b>October 2021</b> (updated with new policy and document banner)- only Schools Data Subject Access Request Policy and Schools Data Subject Access Request Form
<b>Schools Data Processing Policy</b>	<b>October 2021</b>
<b>Transferring School Records to the Anglesey Archives Policy</b>	<b>October 2021</b>

Many of the policies and documents that have been shared have been up-dated to reflect the legislation change from GDPR to UK GDPR. The UK GDPR has been adopted since the UK left the European Union and policies and documents have been amended to include reference to the UK GDPR.

Documents have also been up-dated to include the new policy and document banner that states '*Anglesey Schools Data Protection Officer Service*' rather than the '*Anglesey Learning Service*' to reflect the difference between both services. A clearer distinction is now being made between schools and the Learning Service as both have separate data protection process (i.e. the Learning Service comes under the



corporate data protection process where as the schools have a standalone data protection process).

All policies, guidance, documents and templates are available to be downloaded from the Learning Service Microsite, where there is a dedicated section for data protection matters.

A training session with Headteachers and relevant staff from the schools have been held on a catchment area basis with primary schools and as a secondary school group for the secondary schools. The training sessions were held in conjunction with sharing the policies and documents so that schools have an understanding of the content of the policies and documents. This makes it easier for schools to be able to monitor and be able to evidence their compliance of the policies as they have a better understanding of the content. This arrangement will continue with the sharing of any new policies and documents.

## 2.2.2. Data Protection Training

### 2.2.2.1. E-Learning

In May 2018, a mandatory e-learning module was introduced for all Council staff to provide a foundation level of knowledge about the requirements of the GDPR. This included school staff.

Although some school staff had completed the module back in 2018, not all staff had completed this. Schools are now in the process of ensuring that all of their staff have completed this module. Up to the 31<sup>st</sup> October 2021, 66% of school staff had completed the module, and schools are continuing to ensure that staff are completing this module as soon as possible (many via their HMS training days).

Similarly, up to the 31<sup>st</sup> October 2021, 51% of school staff had completed the mandatory on-line cyber awareness module, but schools are continuing to ensure that staff have completed this module as soon as possible.

### 2.2.2.2. Data Protection Training Delivered by the Schools Data Protection Officer

The following training has been provided to schools by the Schools Data Protection Officer between July 2020 and November 2021:

Subject	Category of Staff	Date Delivered
Go through the main data protection principles in the Headteachers induction/re-familiarisation session	Headteachers	06.11.20
Data protection for School Governors training	School Governors	26.11.20



Data protection policies and documents training/awareness session to catchment areas (Stage 1 policies)	Headteachers	04.01.21 & 08.01.21
Data protection for School Governors training	School Governors	28.01.21
Data protection policies and documents training/awareness session to catchment areas (Stage 2 policies)	Headteachers	23.02.21 & 26.02.21
Go through the main data protection principles in the Headteachers induction/re-familiarisation session	Headteachers	09.11.21
Data protection for School Governors training	School Governors	25.11.21
Data protection policies and documents training/awareness session to catchment areas (Stage 3 policies)	Headteachers	26.11.21 & 29.11.21 (more sessions to be held)
General data protection awareness training for school staff via catchment areas	All school staff	26.11.21 (more sessions to be held)

Data protection training to other school staff other than Headteachers has not been delivered during this period due to the Covid 19 pandemic, but training sessions have been arranged going forward.

Training sessions will be held with Headteachers with each data protection policies and documents package that is shared.

### 3. Schools Data Protection Plan

#### 3.1. Support Plan for Schools- Schools Data Protection Policies and Procedures 2020-2021

In September 2020, a 'Support Plan for Schools- Schools Data Protection Policies and Procedures 2020-2021' was developed and was presented to schools in November 2020.

A number of policies were shared with schools to adopt and training sessions were provided as part of this plan.

A number of actions have been moved to the 2021-2022 plan due to other priorities due to the pandemic and due to the long term sickness absence of the Schools Data Protection Officer.

#### 3.2. Schools Data Protection Plan 2021-2022

In September 2021, the *Schools Data Protection Plan 2021-2022*, was presented to schools. This has been developed based on the previous plan for the 2020-2021 school year.

The Council commissioned *Strategic Risk Practice Zurich Risk Engineering UK* to perform a review and to prepare an inspection report on data/information governance and the level of GDPR implementation across Anglesey schools in 2019.

As a result of this report, an Action Plan was created between the Council's Audit and Risk Service and the Learning Service in order to respond to the points raised in the *Zurich* report. This plan incorporates any actions that are outstanding within the Action Plan.

This plan contains the following pieces of work and actions, some of which have already commenced:

### **3.2.1. Data Protection Policies and Documents**

A number of policies and documents will be provided to schools to use and adopt. A number of these are up-dated versions following the implementation of the UK GDPR and the adoption of the new policy and document banner. Please see section 2.2.1 for details of policies and documents that have already been shared with schools.

The following documents and policies will be shared with schools under the plan:

- **Schools Data Protection Impact Assessment Package:**
  - Schools Data Protection Impact Assessment Policy
  - Schools Data Protection Impact Assessment Template
  - Risk Register Template
  - Risk Matrix
  
- **Schools CCTV System Package**
  - Schools CCTV Policy
  - CCTV Systems Log
  
- **Schools Record Management Policy**
- **Schools E-Safety Policy**
- **School Staff Email Policy**
- **School Staff Social Media Policy**
- **Consent Form Package**
- **Taking Photos for the Purpose of School Publicity Policy**

### **3.2.2. Develop a Policy Acceptance Process**

Work has begun at looking to develop a process for schools to use to keep a record of policies that school staff have read and accepted, similar to that of what the

Council uses (4policy system). This will support schools to keep records as evidence that staff have read and accepted key data protection policies.

### **3.2.3. Using the School Management Review (SMR) as a Monitoring Tool**

Individual schools have been answering the data protection related questions on the School Management Review System in order to establish a baseline of where they consider themselves to be against the different elements of data protection compliance.

As schools progress through the *Schools Data Protection Action Plan*, they will be able to amend their scores to move towards the 'excellent' status.

Sessions have been held with schools who need support with completing the data protection questions.

Every data protection policy that is shared and needs to be formally adopted by the school governing body is being added to the SMR. Every school will need to confirm on the system when each individual policy has been formally adopted.

The SMR will be used by the Schools Data Protection Officer to measure and review progress in relation to adopting policies and with general data protection compliance.

### **3.2.4. Mapping Data Processors**

A piece of work mapping out data processors and ensuring schools have appropriate data protection agreements with all of their data processors has commenced.

This involves individual schools confirming which systems, programmes and apps they use and checking that they have Data Processing Agreements or other appropriate data protection agreements in place with providers (data processors).

### **3.2.5. Mapping the Data Flows between the Schools and the Council**

A piece of work mapping out the data flows between the schools and the Council to identify where an agreement is required has commenced. This will clearly distinguish data protection relationships between the schools, Council and providers.

### **3.2.6. Service Level Agreement for the Schools Data Protection Officer Service**

A Service Level Agreement between the Council and the schools for the Schools Data Protection Officer role has been developed. This has been shared with schools for comment and a final version has been shared in November 2021 for schools to sign.

The Service Level Agreement makes it clear what the role of the Schools Data Protection Officer is and what support is provided to schools under the agreement. Data Protection is also now included in the Partnership Agreement between schools and the Learning Service.

### **3.2.7. Termly Schools Data Protection Up-Date and Newsletter**

The plan also includes termly data protection up-dates delivered by the Schools Data Protection Officer to the Primary and Secondary Schools Forums to discuss data protection matters and progress against the *Schools Data Protection Plan*.

This also includes sharing a newsletter. The first newsletter has been shared with schools in November 2021.

There is also a schools data protection section within the school governors' bulletin.

The Schools Data Protection Officer is also regularly invited to attend the Primary and Secondary Schools Strategic Forum meetings to discuss data protection matters of concern.

### **3.2.8. External Support for the Schools Data Protection Officer**

External support is being provided by Cwmni Celyn in relation to some of the actions and pieces of work within this plan.

To-date, Cwmni Celyn has been providing support with mapping data processors and with mapping the data flows between the schools and the Council.

Support will also be provided with creating a Records of Processing Activities (ROPA) template for schools.

## **4. Secondary Schools Cyber Incident**

It was discovered on the 23<sup>rd</sup> June 2021 that a potential cyber-incident had occurred which affected all of the five secondary schools on Anglesey- Ysgol Syr Thomas Jones; Ysgol Uwchradd Bodedern; Ysgol Gyfun Llangejni; Ysgol David Hughes and Ysgol Uwchradd Caergybi.

It was not known at the time if personal data held on the schools' systems could have been compromised during the incident. The alarm was raised following discovering suspicious traffic on secondary school email servers.

Information technology systems - including email accounts - had been temporarily disabled to contain the incident at the time. There was disruption at the schools whilst the incident was being contained.

A team of specialised cyber-technology consultants were immediately brought in by the Council to investigate the incident. The National Cyber Security Centre (NCSC) also provided support to resolve matters. Forensic analysis of the cyber incident found no evidence that ICT systems were infiltrated or compromised.

The incident was reported to the Information Commissioner's Office (ICO) and an investigation has begun.

The incident prompted the Council to bring forward planned works, as part of the Welsh Government's Hwb programme, to upgrade information technology systems of the secondary, special and primary schools. The work to upgrade the ICT systems and infrastructure began over the summer holidays.

Data systems that the schools were using have been transferred on to the Hwb cloud services. Work is on-going to complete the transfers.

Being on Hwb will help make the systems at the schools as robust as possible and reduce the risk of any potential cyber-attack or incidents in the future.

Cyber-attacks are on the increase and still pose a real threat to schools, but the upgrading of the systems and infrastructure puts schools in a safer situation.

The *Schools Data Protection Plan* has been reviewed in light of the incident, as it impacted on the originally proposed timeline.

## **5. Schools Data Protection Officer Statement- November 2021**

Since the last report, issued in July 2020, due to the Covid 19 pandemic, schools have not been in a position to be able to progress the data protection programme as quickly as would normally be the case. Many priorities and actions were identified in the last report, but it has been difficult for schools to give a greater level of priority to this work due to dealing with the pandemic. Also, due to a period of long term absence of myself as the Schools Data Protection Officer, some aspects of the plan have been moved forward. External support is being provided by Cwmni Celyn in relation to some of the actions and pieces of work within this plan.

Targets have been reviewed several times, but despite the pandemic and the long term sickness of myself, some progress has been made in terms of adopting key data protection policies (*please see the table in section 2.2 that notes progress to-date against identified actions from the last report*). Significant work has also been undertaken in upgrading the schools' ICT systems and infrastructure by transferring to the Hwb cloud services.

The day-to-day information management **practices** within the schools are still acceptable and there have been positive steps. All schools are registered with the Information Commissioner's Office (ICO) and are paying their annual data protection fee and all schools have adopted the statutory Schools Data Protection Policy. All schools have registered for the Wales Accord on the Sharing of Personal Information (WASPI) since July 2020. There is also an increase in the number of contacts I as the Schools Data Protection Officer receive from schools asking for advice and guidance.

However, further work still needs to be done on ensuring that all key data protection policies and documents have been adopted and that schools are monitoring and can evidence their compliance with these policies (it continues to be a responsibility of

the school governing body to ensure all relevant policies are adopted, including statutory policies e.g. Data Protection Policy). There is still further work to be done to ensure that all schools have robust processes in place to deal with data breaches and data subject access requests.

Work still needs to be carried out to ensure that data protection risks are effectively managed and that appropriate agreements are in place with data processors. There is still more to do around identifying and delivering specific training for school staff, including the governing body, to ensure that everyone within the school structure is aware of their data protection responsibilities.

It is essential that the schools understand their responsibilities and implications as the data controller and the legal expectations that come as a result. I believe that schools do now better understand their data protection obligations and the importance of data protection and are now giving more priority to ensuring that actions are taken to comply with requirements under data protection legislation.

Schools Data Protection Officer Assurance Assessment (November 2021)	Reasonable Assurance
<p>The process of beginning to have policies, processes and practices in place to comply with data protection legislation has started within the schools, but there is still more work to be done to have all schools on the same level and ensuring that schools have all the basic requirements in place to be complying with data protection legislation.</p>	

## 6. Conclusions and Next Steps

- Due to the Covid 19 pandemic, schools have not been in a position to be able to progress the data protection programme as would normally be the case. Many priorities and actions were identified in the last report, but it has been difficult for schools to give a great level of priority to this work due to dealing with the pandemic.
- The schedule of the plan will be reviewed, taking into consideration the views of Headteachers.
- Progress has been made in terms of adopting key data protection policies and with upgrading the schools' ICT systems and infrastructure by transferring to the Hwb cloud services.
- The day-to-day information management **practices** within the schools are still acceptable i.e. paying the ICO registration fee.
- Further work still needs to be done on ensuring that all key data protection policies and documents have been adopted and that schools are monitoring and can evidence their compliance with these policies.
- There is still further work to be done to ensure that all schools have robust processes in place to deal with data breaches and data subject access requests.

- Work still needs to be carried out to ensure that data protection risks are effectively managed and that Data Protection Impact Assessments are completed for high risk processing activities.
- Work needs to be completed in ensuring that appropriate data protection agreements are in place with data processors.
- There is still more to do around identifying and delivering specific training for school staff, including the governing body, to ensure that everyone within the school structure is aware of their data protection responsibilities.
- There is a need to ensure that schools have a *ROPA* (including data flow maps) and an Information Asset Register in a place that are kept up-to-date.
- There is a need to ensure that all schools have suitable and up-to-date Privacy Notices and that they are shared and are available to individuals and that data collection forms and consent forms include a summary of the Privacy Notice.
- Work needs to be completed around the use of consent including reviewing the current forms.
- Work needs to be completed around access to information and disposing of old documents within schools.
- The Schools Data Protection Officer needs to undertake an audit visit to all schools to monitor compliance with data protection obligations.

**The process of beginning to have policies, processes and practices in place to comply with data protection legislation has started within the schools, but there is still more work to be done to have all schools on the same level and ensuring that schools have all the basic requirements in place to be complying with data protection legislation.**