

CYNGOR SIR YNYS MÔN / ISLE OF ANGLESEY COUNTY COUNCIL	
Meeting:	Audit & Governance Committee
Date:	7 February 2023
Title of Report:	Anglesey Schools Annual Information Governance Assurance Report- January 2023
Purpose of the Report:	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 November 2021 to January 2023 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 (November 2021) and provides details regarding the content of and what has been achieved under the *Schools Data Protection Development Strategy 2021-2022*.

The report also provides details of what is contained within the *Schools Data Protection Development Strategy 2022-2023*.

Schools Data Protection Officer Statement

Since the last report, issued in November 2021, significant progress has been made in ensuring that schools have the necessary policies and procedures in place to be compliant with requirements under data protection legislation. Schools have formally adopted the majority of policies and are in the process of adopting the final policies package.

Schools now need to ensure that they are monitoring and can evidence their compliance with all data protection policies. This will support schools to ensure that they are taking necessary actions that reduce data protection risks and support schools to evidence their accountability and compliance.

The day-to-day information management **practices** within the schools have continued to improve. More school staff have received data protection training over the past year, and this has supported schools to improve their practices. More school governors have also received training or have been audience to data protection presentation which has also improved their understanding of the school's obligations under data protection legislation.

Work still needs to be completed to ensure that data protection risks are effectively managed and that appropriate agreements are in place with data processors.

Schools now show that they understand their responsibilities and implications as the data controller and the legal expectations that come as a result. Schools demonstrate that they have a better understanding of their data protection obligations and have been giving more priority to ensuring that actions are taken to comply with requirements under data protection legislation.

Schools Data Protection Officer Assurance Assessment (January 2023)	Reasonable Assurance
Significant progress has been made in terms of adopting key data protection policies and practices have continued to improve with staff and governors having better knowledge of data protection obligations via training sessions and presentations. Further work needs to be undertaken to ensure that all schools are on the same level of compliance and to continue making sure that schools have all the required Data Protection Agreements and Data Protection Impact Assessments.	

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**

January 2023

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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 (November 2021) and provides details regarding the content of and what has been achieved under the *Schools Data Protection Development Strategy 2021-2022*.

The report also provides details of what is contained within the *Schools Data Protection Development Strategy 2022-2023*.

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

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 November 2021 Report

2.1. Conclusions Identified from the November 2021 Report

The following were the conclusions identified in the November 2021 Report:

- Due to the Covid 19 pandemic, schools have not been able 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.

2.2. Actions Identified from November 2021 Report

The Schools Data Protection Officer had identified in 2021 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.

It was agreed that the Schools Data Protection Officer will prepare an annual data protection report going forward. The Learning Service Senior Management Team confirmed that reports should include:

- the number of reported breaches,
- the number of data subject access requests,
- the number of data protection complaints,
- which policies have been updated/shared,
- training that has been offered during the course of the year i.e. to who and when,
- recommendations (based on lessons learned) to be considered for next year's development programme.

The above is included within the report.

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	Actions from November 2021 Report	Progress to date against identified actions (up until January 2023)	Further work to be undertaken
1	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.	<p>Further progress has been made in terms of adopting key data protection policies, with schools having received the last new policies package. No new data protection policies will be created from this point unless there are any changes to legislation or guidance from the ICO.</p> <p>All policies have been formally approved by the Learning Service Senior Management Team and feedback and comments have been provided by the Schools Data Protection Operational Group before sharing with schools to formally adopt. Cwmni Celyn has also provided independent comments on the policies during the development stage, with input also provided by Human Resources and IT Service where applicable.</p> <p>All policies and documents shared are available on the data protection page on the Learning Service microsite, where all policies, guidance and documents are available for schools to download and use.</p>	<p>Schools now need to focus on monitoring and evidencing their compliance with all individual data protection policies.</p> <p>The SDPO has developed a <i>Data Protection Policies Checklist</i> for schools to use to check that they have undertaken the actions required to comply with each individual data protection policy.</p> <p>The SDPO will be monitoring compliance during the annual audit visit and via the Schools Management Review system.</p>

		<p>Schools are required to confirm on the Schools Management Review system that they have adopted the data protection policies.</p> <p>All schools have adopted the statutory policy- <i>Schools Data Protection Policy</i> which is a policy that the schools are required to have in place.</p>	
2	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.	<p>Schools have adopted the <i>Schools Data Breach Policy</i> and <i>Schools Data Subject Access Request Policy</i>. Accompanying training sessions have been held with Headteachers to explain the contents of the policies and documents.</p> <p>Schools are aware that they can contact the SDPO for advice and guidance. The SDPO has been supporting schools to respond to data subject access requests by supporting with redacting information where required.</p> <p>The school staff data protection training includes guidance on what to do when a data breach occurs which has increased knowledge of staff of the process so that they can effectively handle breaches. Schools are required to report any data breach</p>	<p>Schools have the governance framework in place to deal with data breaches and data subject access requests and are aware that the SDPO can support and provide guidance if a data breach occurs and if a data subject access request is received.</p>

		incidents to the SDPO to assess whether they reach the threshold that requires reporting to the ICO.	
3	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.	<p>Schools have adopted the <i>Schools Data Protection Impact Assessment (DPIA) Policy</i> which includes a risk matrix. Accompanying training sessions have been held with Headteachers to explain the contents of the policy.</p> <p>The process of creating specific DPIAs has begun with a draft CCTV DPIA being developed.</p>	<p>More work needs to be completed to ensure that data protection risks are effectively managed, and that Data Protection Impact Assessments are completed for high-risk processing activities.</p> <p>A library of general DPIA templates for schools for the main process and programmes to adapt for their individual needs to be completed and shared.</p>
4	Work needs to be completed in ensuring that appropriate data protection agreements are in place with data processors.	<p>Significant progress has been made in ensuring that appropriate data protection agreements are in place with data processors.</p> <p>Schools have adopted the <i>Schools Data Processing Policy</i>.</p> <p>The mapping work around which systems, programmes, and apps that each individual school use has been completed. This has provided information if schools already have</p>	<p>All assessments on the main systems, programmes and apps need to be completed and shared with schools to use to show that due diligence has been carried out and that they are aware of any risks associated with systems, programmes, apps, and data processors used.</p> <p>Work needs to be completed on creating DPAs for specific processing (where</p>

		<p>appropriate data protection agreements in place.</p> <p>Most assessments have been completed on current Data Processing Agreements to ensure that they reach expectations of the schools at Data Controllers.</p> <p>DPA's have been agreed and signed for some specific programmes.</p>	<p>agreements do not already exist) and a package of agreements will be shared with schools to sign.</p>
5	<p>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.</p>	<p>The Schools Data Protection Officer has updated the <i>Schools Data Protection Training Plan</i>.</p> <p>A significant number of training and awareness raising sessions have been held with Headteachers, school staff and governing bodies around data protection issues relating to job roles and responsibilities. Most school staff have now received basic data protection training.</p> <p>The previous plan could not be fully implemented due to schools dealing with Covid priorities, but significant progress has been made during the last period with providing training to school staff. This has been delivered on-line and in person.</p>	<p>To ensure that all school staff in every school has received basic data protection training and to continue providing data protection training on an annual basis to all.</p> <p>To ensure that all governing bodies have received the data protection awareness presentation.</p> <p>To continue to encourage schools to ensure that all staff complete the on-line training modules.</p> <p>Training will be provided on an on-going basis to ensure that staff are reminded of</p>

		<p>The SDPO has prompted schools to ensure that all staff have completed the online training.</p> <p>The <i>Schools Governing Body Data Protection Guidance</i> has been shared with schools that provides guidance for school governors.</p>	<p>their data protection obligations.</p>
6	<p>There is a need to ensure that schools have a <i>ROPA</i> (including data flow maps) and an Information Asset Register in a place that are kept up to date.</p>	<p>The mapping work around which systems, programmes, and apps that each individual school use has been completed.</p> <p>The information gathered from the mapping has been used to create a pre-populated <i>ROPA</i> and Information Asset Register template for schools to adapt for their individual needs.</p>	<p>To finish developing a pre-populated <i>ROPA</i> and Information Asset Register template for the primary and secondary schools and to share with schools.</p> <p>To hold meetings with individual schools to amend the template to create a unique <i>ROPA</i> and Information Asset Register for their school.</p>
7	<p>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.</p>	<p>The Schools Data Protection Officer has completed a piece of work that involved creating Privacy Notices templates for schools to adapt and adopt.</p> <p>The following Privacy Notice templates have been adopted by most schools:</p>	<p>The SDPO to continue to encourage all schools to ensure that they have the latest versions of the required Privacy Notices in place, including providing a link to them on their websites (if applicable).</p> <p>The SDPO will be monitoring compliance during the annual</p>

		<ul style="list-style-type: none"> • General Privacy Notice for Primary Schools; • General Privacy Notice for Secondary Schools; • Children & Young People Version of the General Privacy Notice; • School Workforce Privacy Notice. <p>Schools have been confirming that they have formally adopted the Privacy Notices through the Schools Management Review system.</p> <p>The SDPO has ensured that the revised consent forms include a summary of the Privacy Notice.</p>	<p>audit visit and via the Schools Management Review system.</p> <p>The SDPO to continue to ensure that any new or revised data collection forms include a summary of the Privacy Notice.</p>
8	Work needs to be completed around the use of consent including reviewing the current forms.	<p>The current consent form (for taking and publishing photographs, images, and film) has been reviewed and an accompanying leaflet explaining UK GDPR consent to pupils and parents has been developed (<i>Taking and Using Photographs or Videos of Your Child at School: Your Rights Leaflet</i>).</p> <p>A <i>Taking Photos for the Purpose of School Publicity Policy</i> and <i>School Staff Social Media Policy</i> have also been developed and shared with schools to adopt which provides guidance on consent and publishing personal data.</p>	As schools have only recently received the up-dated consent form and the accompanying leaflet and policies, the SDPO needs to monitor the implantation of these documents.

9	<p>Work needs to be completed around access to information and disposing of old documents within schools.</p>	<p>The <i>Schools Retention Periods Document</i> has been reviewed and an up-dated version has been shared with schools to follow.</p> <p>Schools have also adopted the 'Transferring School Records to the Anglesey Archives Policy' which provides guidance of when to transfer documents to the Anglesey Archives. The Archives service has been providing guidance to some schools whilst reviewing historical documents.</p> <p>Access to information practices have improved (this is an element that is inspected during the SDPO audit visit). There are now tighter access controls in schools in general with access provided to those who need it. Access to information has formed part of moving school servers on to HWB and this has contributed to the improvement.</p>	<p>Some schools need to review the historical documents that they are retaining and ensure that they follow the guidance within the <i>Schools Retention Periods Document</i>. The SDPO will be supporting some schools with this task.</p> <p>Further work needs to be undertaken to ensure that all schools have robust access controls to both electronic and physical information.</p>
10	<p>The Schools Data Protection Officer needs to undertake an audit visit to all schools to monitor compliance with data protection obligations.</p>	<p>The SDPO has undertaken an audit visit to all 45 schools between March and November 2022.</p> <p>Each school has received a report following on from the visit detailing progress within different areas and an overall risk score has been provided.</p>	<p>A data protection audit will be held with each individual school on an annual basis to monitor progress and to provide an independent overview to schools on areas that need to be developed further.</p>

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

One of the main focuses of the Schools Data Protection Development Strategy has been to ensure that all schools have key policies and documents in place to support schools in ensuring compliance with data protection legislation.

As it is essential that core policies and documents are adopted by the schools to demonstrate accountability.

The Schools Data Protection Officer has created and has shared the following policies, guidance, documents, and templates for schools to adopt and to use within this period:

Policy, Guidance, Key Documents	Shared with the Schools by the Schools Data Protection Officer
Schools Data Protection Impact Assessment Package: <ul style="list-style-type: none"> Schools Data Protection Impact Assessment Policy Risk Register Template Risk Matrix 	April 2022
Schools CCTV System Package: <ul style="list-style-type: none"> Schools CCTV Policy CCTV Systems Log 	April 2022
Schools Record Management Policy	April 2022
Schools Data Protection Policy (statutory policy)- version 2	April 2022
Schools E-Safety Policy	December 2023
School Staff E-mail Policy	December 2023
School Staff Social Media Policy	December 2023
Consent Form Package: <ul style="list-style-type: none"> Schools Data Protection Consent Form (updated) Taking and Using Photographs or Videos of Your Child at School: Your Rights Leaflet 	December 2023
Taking Photos for the Purpose of School Publicity Policy	December 2023
Schools Retention Periods Document (up-dated)	December 2023

Schools Data Protection Bilingual Glossary, Definitions and Legislation (up-dated)	December 2023
Data Protection Policies Checklist	December 2023

All current versions of policies, guidance, documents, and templates are available to be downloaded from the Data Protection page on the Learning Service Microsite.

Training sessions 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 with the release of each policy package. The training sessions were held in conjunction with sharing the policies and documents so that schools understand 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 with the policies as they have a better understanding of the content.

Schools have now received all policies that are required. Training sessions are in the process of being held via catchment area to go through this final package of policies and key documents.

Policies will be reviewed every two or three years, except for the *Schools Data Protection Policy*, which is reviewed on an annual basis as this is a statutory policy. All schools have adopted this policy.

All Data Protection Policies Shared with Schools	
<ul style="list-style-type: none"> Schools Data Protection Policy Schools Data Breach Policy Schools Information Security Policy 	<ul style="list-style-type: none"> Procedure for Sharing Information with Police Authorities in the United Kingdom (Gwynedd & Anglesey) Schools Data Subject Access Request Policy
<ul style="list-style-type: none"> Schools Data Processing Policy Transferring School Records to the Anglesey Archives Policy 	<ul style="list-style-type: none"> Schools Data Protection Impact Assessment Policy Schools CCTV Policy Schools Record Management Policy
<ul style="list-style-type: none"> Schools E-Safety Policy School Staff E-mail Policy School Staff Social Media Policy Taking Photos for the Purpose of School Publicity Policy 	

A Data Protection Policies Checklist document has been developed to support schools to confirm that they have actioned the main requirements within all the data protection policies, which supports schools to demonstrate accountability and that they are compliant with data protection legislation.

A bilingual CCTV sign that notifies data subjects of the legal basis being used to film and the contact details of who is responsible for CCTV in the schools has been developed following the release of the policy. Schools have had an opportunity to purchase signs through the Learning Service.

2.2.2. Data Protection Training

2.2.2.1. 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 November 2021 and January 2023:

Nature of Training	Number of Sessions Held
Data protection training for Headteachers (including induction/re-familiarising and new data protection policies introduction)	14 (09.11.21, 26.11.21, 29.11.21, 01.12.21, 10.12.21, 12.01.22, 05.04.22, 04.05.22, 13.05.22, 18.05.22, 25.05.22, 17.06.22 & 18.01.23 x2)
Data Protection for School Governors (on-line training with school governors who have registered on to the training)	3 (25.11.21, 26.04.22 & 20.10.22)
CCTV Training (delivered by Cwmni Celyn)	2 (17.05.22 & 10.06.22)
Training for School Administrative Staff	3 (18.02.22, 12.05.22 & 27.06.22)
General data protection training for school staff via catchment area	6 (26.11.21, 03.12.21, 11.01.22, 28.02.22, 06.06.22 & 07.11.22)
General data protection training for school staff via individual schools	7 (06.06.22, 13.06.22, 21.06.22, 27.06.22, 05.09.22, 07.11.22 & 15.11.22)
Total	35

There have been significantly more training sessions held during this period with more training sessions held with school staff and there has been more communication with school governing bodies with the Schools Data Protection Officer presenting data protection at meetings.

A data protection presentation has been provided to **20** governing bodies during this period. The presentation highlights the main requirements and expectations on schools regarding data protection obligations.

Several training sessions have continued to be held with Headteachers with many sessions held on a catchment area basis with the release of each policy package.

Delivering more training to school staff and governors was identified as an action in the November 2021 report. This training helps to ensure that everyone within the school structure is aware of their data protection responsibilities, and this has contributed to the general improvement in data protection practices within schools.

Training sessions will be arranged for schools that have yet to arrange training for their school staff and governing body to ensure that all school staff across all schools have received basic data protection training. A *Schools Data Protection Training Plan* has been developed for the 2022-23 school year.

3. Schools Data Protection Development Strategy

3.1. Schools Data Protection Development Strategy 2021-2022

A Schools Data Protection Development Strategy for the school year 2021-22 was developed. The strategy was developed based on the plan for the previous year (please see copy of the plan in APPENDIX A).

This strategy contains the following pieces of work and actions, some of which have already commenced, and some completed. There has been delays with some elements, with completion dates being moved due to the amount of time and resources available:

3.1.1. Using the School Management Review (SMR) as a Monitoring Tool

Individual schools have answered the data protection related questions on the School Management Review System to establish a baseline of where they considered themselves to be against the different elements of data protection compliance.

Individual schools also confirm on the SMR that they have formally adopted individual data protection policies. Schools have been doing this as the new policies have been shared.

A dedicated donut has now been developed on the system to make it easier for schools to confirm which data protection policies have been adopted. This has started to be used from November 2022 onwards.

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

3.1.2. Mapping Data Processors

A piece of work mapping out data processors that schools use has been completed. Each individual school has met with the Schools Data Protection Officer or Caryl

Lewis from Cwmni Celyn to confirm which systems, programmes, and apps they are using within the school.

This information has then led to ensuring schools have appropriate Data Processing Agreements or other appropriate data protection agreements in place with providers (data processors).

The Schools Data Protection Officer, with the support of Cwmni Celyn, has completed in-depth assessments on Data Processing Agreements for systems, programmes, and apps that the majority of schools use. This has been undertaken to provide an overall risk assessment for schools regarding the agreements that they currently have in place.

A library of assessments has been created and will be shared imminently with schools via the data protection page on the Learning Service Microsite.

3.1.3. Mapping the Data Flows between the Schools and the Council

Work has continued with mapping out the data flows between the schools and the Council to identify where an agreement is required. A group has been established to look at contracts and processes in place and further work needs to be undertaken to complete this work. This will be kept under review as and when new services and systems are used.

3.1.4. 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 was developed and this was shared with schools to sign in November 2021 following a period of consultation. The Service Level Agreement will be reviewed in March 2024.

3.1.5. Termly Schools Data Protection Up-Date and Newsletter

The Schools Data Protection Officer provides regular up-dates to the Primary and Secondary Schools Forums on data protection matters and progress against the Schools Data Protection Development Strategy.

This also includes sharing a termly newsletter. To date, schools have received 4 newsletters.

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 and is also a member of the Anglesey Digital Champions Forum and the Improving processes and Systems Working Group.

The Schools Data Protection Officer also provides regular up-dates and information relating to data protection via the Learning Service weekly bulletin.

3.1.6. External Support for the Schools Data Protection Officer

External support has continued to be provided by Cwmni Celyn in relation to some of the actions and pieces of work within the strategy.

Cwmni Celyn has provided support with mapping data processors; with mapping the data flows between the schools and the Council and with assessing Data Processing Agreements. Cwmni Celyn has also held two training sessions relating to CCTV requirements and has provided comments and feedback on new data protection policies and documents that have been developed, including reviewing the *Schools Retention Periods Document*.

This work has now been completed and Cwmni Celyn will be contacted to provide support with specific pieces of work as and when needed.

3.1.7. Data Protection Audit

In the period between March 2022 and November 2022, the Schools Data Protection Officer visited each of the 45 individual schools to review data protection compliance and arrangements.

These visits were a follow-up to the initial visits that were held during October 2019 and February 2020.

Each school has received a report following on from the visit detailing progress within different areas and an overall risk score has been provided.

It is evident that progress has been achieved since the first visit. The results of the second audit shows that the majority of schools have now adopted key policies; have the required Privacy Notices in place; have improved the security around storing and accessing personal information both physically and electronically; have provided staff with better knowledge of their data protection obligations via training and have started to ensure that they have suitable agreements in place with data processors. All of this makes schools more data protection compliant and they can better demonstrate their accountability which is a positive improvement.

A data protection audit will be held with each individual school on an annual basis to monitor progress against key requirements and to provide an independent overview to schools on areas that need to be developed further.

Schools are in the process of booking 2023 visits, which will be undertaken between March and June 2023.

3.1.8. Schools Data Protection Operational Group

A Schools Data Protection Operational Group has been established and the first meeting was held in April 2022.

The group is a forum where schools can provide input and feedback on data protection matters and developments. All policies, templates and procedures are shared with the group for comment and feedback before they are confirmed as final versions to be shared and to be adopted by schools.

A representative from each catchment area forms membership of the group, with representatives from both primary and secondary schools. There is also representation from the Local Authority with the Schools Data Protection Officer chairing meetings with the Learning Service Contracts and Services Manager and a representative from Human Resources Service and IT Service being members.

The group is working on specific pieces of work that will support further developments. This group is an important forum so that schools are a part of developments and can provide feedback and input.

4. Number of Data Breaches, Data Subject Access Requests and Data Protection Complaints

The following are the number of data breaches, data subject access requests and data protection complaints by schools that the Schools Data Protection Officer has provided support and guidance to schools to deal with:

	November 2021 – January 2023	July 2020 - October 2021
Number of reported data breaches	9 (with 0 being reportable to the ICO)	12 (with 2 being reportable to the ICO)
Number of data subject access requests	9	10
Number of data protection complaints	2	1

There are fewer reported data breaches in this period than the previous reported period. This can be due to schools having improved their data protection practices as they now have better knowledge and understanding of their obligations due to the audits; policies that have been adopted; training sessions that have been held and in the improvement of security practices around personal data both physically and electronically.

The number of data subject access request and number of data protection complaint support that has been provided to schools are similar in numbers for both reporting periods. Schools continue to ask for the support of the Schools Data Protection Officer with dealing with requests and complaints.

5. Secondary Schools Cyber Incident

It was discovered on the 23rd of June 2021 that a potential cyber-incident had occurred which affected all the five secondary schools on Anglesey- Ysgol Syr

Thomas Jones; Ysgol Uwchradd Bodedern; Ysgol Gyfun Llangefni; Ysgol David Hughes and Ysgol Uwchradd Caergybi.

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 but the findings of the investigation have yet to be received.

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 has now been completed with further work being completed to improve security. Work is being undertaken to enable Multi Factor Authentication (MFA) on HWB accounts of staff to improve security when accessing HWB from home and work is in the process of being undertaken on providing In Tune laptops for schools, again to improve access security.

6. Schools Data Protection Officer Statement- January 2023

Since the last report, issued in November 2021, significant progress has been made in ensuring that schools have the necessary policies and procedures in place to be compliant with requirements under data protection legislation. Schools have formally adopted the majority of policies and are in the process of adopting the final policies package. All schools have adopted the *Schools Data Protection Policy* which is the statutory policy that schools must have in place.

Schools now need to ensure that they are monitoring and can evidence their compliance with all data protection policies. This will support schools to ensure that they are taking necessary actions that reduce data protection risks and support schools to evidence their accountability and compliance.

The day-to-day information management **practices** within the schools have continued to improve. More school staff have received data protection training over the past year, and this has supported schools to improve their practices. More school governors have also received training or have been audience to data protection presentation which has also improved their understanding of the school's obligations under data protection legislation.

Work still needs to be completed to ensure that data protection risks are effectively managed and that appropriate agreements are in place with data processors.

Schools now show that they understand their responsibilities and implications as the data controller and the legal expectations that come as a result. Schools demonstrate that they have a better understanding of their data protection

obligations and have been giving more priority to ensuring that actions are taken to comply with requirements under data protection legislation.

The Service Level Agreement that is in place has formalised the relationship between the Schools Data Protection Officer and schools. This can be seen through schools asking more questions regarding data protection matters and the increase in the number of contacts between schools and the Schools Data Protection Officer for specific advice and guidance.

Schools Data Protection Officer Assurance Assessment (January 2023)	Reasonable Assurance
Significant progress has been made in terms of adopting key data protection policies and practices have continued to improve with staff and governors having better knowledge of data protection obligations via training sessions and presentations. Further work needs to be undertaken to ensure that all schools are on the same level of compliance and to continue making sure that schools have all the required Data Protection Agreements and Data Protection Impact Assessments.	

7. Conclusions and Next Steps

- Despite the Covid 19 pandemic, schools have been able to progress the data protection programme over the past year.
- The day-to-day information management **practices** within the schools have progressed over the last year.
- Further progress has been made in terms of adopting key data protection policies, with the focus now needing to be on schools monitoring and evidencing their compliance with all individual data protection policies going forward.
- Headteachers and school staff have had an input in developments via the Schools Data Protection Operational Group Meeting, including the timelines of actions within the Schools Data Protection Development Strategy and the development of new policies, guidance, and templates.
- Significant progress has been made with upgrading the schools' ICT systems and infrastructure by transferring to the HWB cloud services, with this work having been completed. More work is in the process of being completed to improve the security of systems with MFA being enabled on staff HWB accounts and In Tune laptops being rolled out to schools. This has resulted in making school systems more secure.
- Significant progress has been made in ensuring that appropriate data protection agreements are in place with data processors. The mapping work around which systems, programmes, and apps that schools use has been completed and assessments have been completed on current Data Processing Agreements with a library of the assessments being shared imminently. Work needs to be completed on creating DPIAs for specific processing and a package of agreements will be shared with schools to sign.

- Significant progress has been made around identifying and delivering specific training for school staff, including the governing body with several training sessions being delivered to staff at all levels. This has contributed to ensuring that everyone within the school structure is aware of their data protection responsibilities. Further training sessions need to be held to ensure that staff and governors of every school have received training, this includes delivering training to school staff on the content of the *School Staff Social Media Policy* and *School Staff E-mail Policy*.
- Some progress has been made but further 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.
- Most schools now have suitable and up-to-date Privacy Notices with most schools having shared these with parents and have put the general and children and young people's versions on to the school website.
- The Schools Data Protection Officer has undertaken an audit visit to all schools to monitor compliance with data protection obligations and has provided each school with a report of findings that includes a risk score and actions to be taken.
- The current consent form has been reviewed and an accompanying leaflet explaining UK GDPR consent has been developed.
- Although progress has been made with developing a pre-populated template for schools to adapt for their individual needs, the template needs to be shared so that all schools have an accurate and up to date ROPA and Information Asset Register.
- Some schools need to dispose of historical documents to ensure that there is no information kept past its retention period. The up-dated *Schools Retention Periods Document* has been shared with schools to use.
- A *Business Continuity Plan* and *Disaster Recovery Plan* need to be developed and adopted by schools to ensure that access can still be gained to personal data during an incident or disaster.
- A *Schools Data Protection Development Strategy* has been developed for the 2022-2023 school year to ensure that actions that still need to be completed from the previous strategy are completed and to include new actions that need to be taken (please see APPENDIX B).
- More reporting and monitoring functions need to be put in place to monitor the effectiveness of the Schools Data Protection Officer Service by providing more opportunities for Headteachers and school staff to provide feedback on training sessions and the quality and usefulness of the service, advice and guidance provided under the Service Level Agreement.

APPENDIX A

ANGLESEY SCHOOLS DATA PROTECTION DEVELOPMENT STRATEGY 2021-2022

Version Four

The strategy has been revised with the input of the Schools Data Protection Operational Group to confirm that the new schedule works for the schools (actions that are directly related to schools).

No	Policy, Guidance, Key Documents / Activity	Date of Introduction for Schools to Adopt / Begin the Work	Training / Awareness Raising / Support Available	Target Completion Date*
1	Map the Data Flows between the Schools and the Council Map out the data flows between the schools and the Council to identify where an agreement is required and create a suitable DPA.	September 2021	Map the data flows between schools and the Council and create suitable agreements for any arrangement in place.	Mapping work completed by 24.06.22
2	Review Arrangements with Data Processors Review arrangements between individual schools and Data Processors and complete any required DPA.	September 2021	Review arrangements with Data Processors; complete any required DPA and to assess that agreements by providers meet requirements. Create a library of all DPA documents and other agreements.	The main agreements in place by 27.05.22
3	Share policies and documents to be formally adopted by the Governing Board (Stage 3 Package)	October 2021	All schools to adopt the policies and note adoption on the SMR.	08.04.22 (if not already done so)
4	Data Protection Audit Schools Data Protection Officer to visit each individual school to review data protection compliance and arrangements.	March 2022 - June 2022	Half-day session with each individual school.	SDPO to complete each individual visit to schools by 30.06.22

5	Review the Schools Data Protection Policy <i>(this is reviewed annually)</i>	April 2022	SDPO to hold sessions by catchment area to give training on the contents of the package (this also includes training on 6).	To adopt the revised Schools Data Protection Policy and note adoption on the SMR by 24.06.22
6	Share policies and documents to be formally adopted by the Governing Board (Stage 4 Package)	April 2022	SDPO to hold sessions by catchment area to give training on the contents of the package (this also includes training on 5).	To adopt the policies and note adoption on the SMR by 24.06.22
7	Share Schools Record of Processing Activities Package and Information Asset Register Package	April 2022	SDPO to arrange sessions to complete ROPA and Information Asset Register with schools who require support.	To have a full and up to date ROPA and Information Asset Register and note adoption on the SMR by 27.05.22
8	Complete DPIA Documents Start to complete any DPIAs that need to be completed. Start with individual schools' CCTV systems.	April 2022	Complete any DPIA required by individual schools. Create a library of all DPIA documents to be able to share and adapt them for individual schools.	To have the main DPIA documents in place by 01.07.22
9	School Governors Data Protection Training	April 2022	SDPO to hold a data protection training session with School Governors.	Session held on 26.04.22
10	Share policies and documents to be formally adopted by the Governing Board (Stage 5 Package)	May 2022	SDPO to hold sessions by catchment area to give training on the contents of the package and the consent form package.	To adopt the policies and note adoption on the SMR by 15.07.22
11	Share Consent Form Package	May 2022	SDPO to hold sessions by catchment area to give training on the contents of the package and the Stage 5 Package.	To adopt the new consent forms by 15.07.22 (to use in September 2022)
12	Discuss school data protection matters with the forums and share the schools data protection update newsletter.	May 2022	SDPO to meet with headteachers to share updates and to report on the progress of the Schools Data Protection Plan.	To discuss the plan and share the newsletter with all schools through the forums by 30.05.22

* Schedule to be reviewed termly with the Schools Data Protection Operational Group.

Ongoing work during the school year:

- review arrangements with Data Processors and complete any DPA required and build a library of any DPA agreements;

- complete any DPIA that needs to be completed (focus on CCTV systems as a starting point) and build a library of DPIA documents;
- monitor when schools have adopted policies and monitor the progress of the main elements of data protection through the School Management Review (SMR).

Work undertaken by Cwmni Celyn:

- review arrangements with Data Processors and assess specific DPAs;
- complete specific DPIAs;
- review and up-date the *Schools Retention Schedule* document;
- regular meetings held with Cwmni Celyn to discuss work plan and progress.

APPENDIX B

ANGLESEY SCHOOLS DATA PROTECTION DEVELOPMENT STRATEGY 2022-2023

Version One

No	Policy, Guidance, Key Documents / Activity	Date of Introduction for Schools to Adopt / Begin the Work	Training / Awareness Raising / Support Available	Target Completion Date*
1	Map the Data Flows between the Schools and the Council Map out the data flows between the schools and the Council to identify where an agreement is required and create a suitable DPA.	September 2021	Map the data flows between schools and the Council and create suitable agreements for any arrangement in place.	Mapping work completed by 17.02.23
2	Review Arrangements with Data Processors Review arrangements between individual schools and Data Processors and complete any required DPA.	September 2021	Review arrangements with Data Processors; complete any required DPA and to assess that agreements by providers meet requirements. Create a library of all DPA documents and other agreements.	The <u>main</u> agreements in place by 17.02.23 (this work will be on-going permanently)
3	School Governors Data Protection Training	October 2022	SDPO to hold a data protection training session with School Governors.	Session being held on 20.10.22
4	Share policies to be formally adopted by the Governing Board (Stage 5 Package)	November 2022	SDPO to hold sessions by catchment area to give training on the contents of the package and the consent form package.	To adopt the policies and note adoption on the SMR by 17.02.23
5	Share Consent Form Package	November 2022	SDPO to hold sessions by catchment area to give training on the contents of the package and the Stage 5 Package.	To adopt the new consent forms and note adoption on the SMR by 17.02.23

6	Share Schools Record of Processing Activities Package and Information Asset Register Package	December 2022	SDPO to arrange sessions to complete ROPA and Information Asset Register with schools who require support.	To have a full and up to date ROPA and Information Asset Register and note adoption on the SMR by 31.03.23
7	Review the Schools Data Protection Policy <i>(this is reviewed annually)</i>	December 2022		To adopt the revised Schools Data Protection Policy and note adoption on the SMR by 17.02.23
8	Data Protection presentation in the Induction/Re-familiarise Session for Headteachers	January 2023	SDPO to provide a data protection presentation in the induction/re-familiarise session for Headteachers.	Session being held on the 18.01.23
9	Training on School Staff Social Media Policy and E-mail Policy	January 2023	To hold training sessions with school staff.	Sessions to be held by 06.04.23
10	Complete DPIA Documents To share general DPIA templates for individual schools to adapt. Start with CCTV systems.	January 2023	To share library of all DPIA templates in order to adapt them for individual schools.	Schools to have the <u>main</u> DPIA documents in place by 06.04.23 (this work will be on-going permanently)
11	Create Disaster Recovery and Business Continuity Plan	January 2023	Create plans that school can implement if there is a disaster or incident so that there is business continuity around accessing personal data	To share Disaster Recovery and Business Continuity with school by 06.04.23
12	School Governors Data Protection Training	March 2023	SDPO to hold a data protection training session with School Governors.	Session being held on 16.03.23
13	Data Protection Audit Schools Data Protection Officer to visit each individual school to review data protection compliance and arrangements.	March 2023 - June 2023	Half-day session with each individual school.	SDPO to complete each individual visit to schools by 30.06.23

* Schedule to be reviewed termly with the Schools Data Protection Operational Group.

Ongoing work during the school year:

- review arrangements with Data Processors and complete any DPA required and build a library of assessments of the DPA agreements;
- complete any DPIA that needs to be completed and build a library of DPIA documents;
- monitor when schools have adopted policies and monitor the progress of the main elements of data protection through the School Management Review (SMR).