

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

The report also provides details of what is contained within the *Schools Data Protection Development Strategy 2023-2024* and progress to date.

Schools Data Protection Officer Statement

Since the last report, issued in January 2023, 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 have begun the process of **monitoring** and **evidencing 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**

during this period, and this has supported schools to improve their practices. More school governors have also received training or have been audience to a data protection presentation which has also improved their understanding of the school's obligations under data protection legislation.

More specific pieces of work need to be completed now, including schools adapting the pre-populated ROPA and Information Asset Register template; ensuring that DPAs are in place for apps and programmes used; creating DPIAs where there is high risk processing and having a *Business Continuity Plan* and *Disaster Recovery Plan* in place.

Schools continue to show that they understand their **responsibilities** and implications as the data controller and the legal expectations that come as a result. Schools continue to 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 continue to seek advice and guidance relating to data protection matters from the Schools Data Protection Officer.

Schools Data Protection Officer Assurance Assessment (November 2023)	Reasonable Assurance
<p>Most schools have now adopted the key data protection policies and are now monitoring their compliance with individual policies. Practices have continued to improve with staff and governors having better knowledge of data protection obligations via training sessions and presentations. Progress has been made in terms of ensuring that schools have the required Data Protection Agreements for apps and programmes used and with upgrading the security of ICT systems and the general security around both physical and electronic data. The majority of schools have Privacy Notices and there is regular communication between the Schools Data Protection Officer and schools via newsletters and annual audit visits. Further work needs to be undertaken on specific pieces of work to ensure that all schools are on the same level of compliance and are closer to be fully compliant and can evidence this.</p>	

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 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 (January 2023) and provides details regarding the content of and what has been achieved under the *Schools Data Protection Development Strategy 2022-2023* and what has been achieved to date under the *Schools Data Protection Development Strategy 2023-2024*.

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 (the Service Level Agreement will be reviewed in March 2024):

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	Special Schools
Ysgol Uwchradd Bodedern	Canolfan Addysg y Bont
Ysgol Uwchradd Caergybi	
Ysgol David Hughes	
Ysgol Gyfun Llangefni	
Ysgol Syr Thomas Jones	

2. Conclusions and Actions Identified from January 2023 Report

2.1. Conclusions Identified from the January 2023 Report

The following were the conclusions identified in the January 2023 Report:

- 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 InTune 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.
- 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.

2.2. Actions Identified from January 2023 Report

The Schools Data Protection Officer identified in the January 2023 report what pieces of work needed to be completed 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.

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 January 2023 Report	Progress to date against identified actions (up until November 2023)	Further work to be undertaken
1	<p>Further progress has been made in terms of adopting key data protection policies, the focus now needing to be on schools monitoring and evidencing their compliance with all individual data protection policies going forward.</p>	<p>The majority of schools have now adopted all of the 14 data protection policies shared.</p> <p>Monitoring and evidencing compliance has been discussed with headteachers/data protection leads during the 2023 annual data protection audit visits.</p> <p>Schools have been provided with a <i>Data Protection Policies Checklist</i> document in December 2022 to support them with monitoring their compliance with key actions within the individual data protection policies. Schools are beginning to use this document as a monitoring tool.</p>	<p>Schools Data Protection Officer will be focusing on the ability of individual schools in evidencing that they have been monitoring their compliance with the data protection policies during the 2024 audit visits (i.e. will be checking if schools have been using the <i>Data Protection Policies Checklist</i> or equivalent).</p>
2	<p>Work needs to be completed on creating DPIAs for specific processing and a package of agreements (DPAs) will be shared with schools to sign.</p>	<p>Progress has been made in terms of agreeing Data Protection Agreements (DPA) for certain apps and programmes.</p> <p>The majority of schools have now confirmed that they have adopted the <i>Schools Data Processing Policy</i>.</p> <p>When schools request to use a new programme, the ICT Service checks with the Schools Data Protection Officer if there are any risks with using particular programmes and whether a DPA is required as part of the due diligence process.</p> <p>DPAs have been created and agreed for 4 programmes (some in partnership with Gwynedd County Council) during this period. DPAs are in the</p>	<p>To continue to prepare Data Protection Agreements where required and to assess any agreements that schools have already signed in order to confirm that they meet expectations.</p> <p>Due to the number of different apps and programmes used by schools and that schools continuously begin to use new programmes; this work will be on-going.</p>

		<p>process of being agreed for a further 3 programmes at present.</p> <p>A Data Disclosure Agreement has also been created and agreed between Anglesey and Gwynedd schools and Betsi Cadwaladr University Health Board for the Pupil Health Screening Programme. This formalises the sharing of information for height and weight measurements, dental surveys, vaccinations, and hearing screening programme. Schools send a list of pupil details to BCUHB so that they can use the data in conjunction with their own lists to confirm accuracy.</p>	
3	<p>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 <i>School Staff Social Media Policy</i> and <i>School Staff E-mail Policy</i>.</p>	<p>A number of training sessions have been held during this period that includes delivering sessions on the content of the <i>School Staff Social Media Policy</i> and <i>School Staff E-mail Policy</i> (please see item 3.1.2 for more information regarding training).</p> <p>The need for individual schools to maintain a central register of which members of staff have attended data protection training and the date attended has been discussed with headteachers/data protection leads during the 2023 annual data protection audit visits.</p>	<p>Further training sessions need to be held so that staff and governors of every school have received data protection training.</p> <p>Schools Data Protection Officer will be asking schools to evidence that they have a register detailing data protection training attendance during the 2024 audit visits.</p>
4	<p>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.</p>	<p>A general DPIA template has been created for relevant schools to adapt for their CCTV system. This is being finalised and will go to the next Schools Data Protection Operational Group meeting for approval.</p>	<p>Following the general DPIA for CCTV template being approved, meetings will then be organised and held with individual schools to adapt the DPIA for their own individual circumstances.</p>

			The development of other general DPIA templates will be created and the Schools Data Protection Officer will continue to support schools with completing any other DPIAs as required.
5	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.	<p>A combined ROPA and Information Asset Register template that has been pre-populated has been developed for both primary and secondary schools to adapt. These are being finalised and will go to the next Schools Data Protection Operational Group meeting for approval.</p> <p>The templates have been created based on the findings of the mapping work around which systems, programmes, and apps that each individual school uses that was completed during late 2021/early 2022. Schools have also been using new programmes and all of these have been included within the templates.</p>	Following the approval of both the primary and secondary ROPA and Information Asset Register template, the Schools Data Protection Officer will be arranging meetings to support schools in adapting the template for their individual needs.
6	Some schools need to dispose of historical documents to ensure that there is no information kept past its retention period. The up-dated <i>Schools Retention Periods Document</i> has been shared with schools to use.	<p>Disposing of historical documents and the importance of complying with the <i>Schools Retention Periods Document</i> has been discussed again with headteachers/data protection leads during the 2023 annual data protection audit visits.</p> <p>The up-dated <i>Schools Retention Periods Document</i> was shared with schools in December 2022 and many schools have been going through and</p>	Schools Data Protection Officer to continue to monitor that schools are reviewing their records and are adhering to the <i>Schools Retention Periods Document</i> . This will be discussed during the 2024 audit visits.

		disposing of documents that have passed their retention period.	
7	A <i>Business Continuity Plan</i> and <i>Disaster Recovery Plan</i> need to be developed and adopted by schools to ensure that access can still be gained to personal data during an incident or disaster.	<p>A draft <i>Business Continuity Plan</i> and <i>Disaster Recovery Plan</i> have been created following discussions in the Schools Data Protection Operational Group.</p> <p>This needs to be finalised and will go to the next Schools Data Protection Operational Group meeting for approval.</p>	Following the approval of the <i>Business Continuity Plan</i> and <i>Disaster Recovery Plan</i> , these will be shared with schools to adopt, and may be adapted to meet the needs of individual schools. The Schools Data Protection Officer will support schools with adapting the plans.
8	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.	<p>The School Management Review (SMR) continues to be used as a monitoring tool. Individual schools confirm on the SMR that they have formally adopted individual data protection policies. A dedicated 'donut' has been developed on the system to make it easier for schools to confirm which data protection policies have been adopted.</p> <p>Individual schools have answered the data protection related questions on the SMR to establish a baseline of where they considered themselves to be against the different elements of data protection compliance at the beginning of the development programme.</p> <p>The corporate CRM system is now used to document what support is provided to schools and the time spent providing the support (e.g. the amount of time spent on creating a DPA is</p>	<p>Following approval of the training questionnaire, to start using this to gain feedback on training sessions provided by the Schools Data Protection Officer.</p> <p>To include feedback and monitoring functions within the new SLA (from April 2024).</p> <p>To continue using the SMR and the corporate CRM system as monitoring tools.</p>

		<p>documented as well as time spent on delivering training).</p> <p>A questionnaire has been developed for headteachers, schools staff and governors to provide feedback on training. This needs to be finalised and will go to the next Schools Data Protection Operational Group meeting for approval.</p>	
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3. Schools Data Protection Development Strategy

3.1. Schools Data Protection Development Strategy 2022-2023

A *Schools Data Protection Development Strategy* for the school year 2022-23 has been developed (please see copy of the strategy in APPENDIX A).

All action points within the *Schools Data Protection Development Strategy 2022-2023* are discussed under the following headings or have already been discussed under item 2.2 above:

3.1.1. Policies, Guidance, Documents and Templates

Schools have received all mandatory and key data protection policies (the final pack of new policies was shared with schools in December 2022). The majority of schools have now adopted all 14 data protection policies and have adopted the new consent form package (which consists of an up-dated version of the consent form for publishing photographs on various platforms and the leaflet that has been produced to explain how *UK GDPR* consent works) that was also shared in December 2022.

An up-dated version of the *Schools Data Protection Policy* was shared with schools to adopt in May 2023. This policy is reviewed on an annual basis as this is a statutory policy. Non-statutory policies are reviewed every two or three years.

Training sessions with headteachers and school staff have been held during this period to ensure that schools understand the content of policies and documents, making 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 are now reviewing their compliance with the data protection policies and are beginning to use the *Data Protection Policies Checklist* document that has been developed. This document supports schools to confirm that they have actioned the main requirements within all of the data protection policies, which supports schools to demonstrate accountability and that they are compliant with data protection legislation.

No new policies are due to be produced or released. The intention to review current policies that were due to be reviewed is on-hold until the new data protection legislation is released (this is expected to come in to force mid 2024). Any changes to current policies will be made in line with the new legislation (*Data Protection and Digital Information Bill (DPDI)*).

3.1.2. Data Protection Training

The following training has been provided to schools by the Schools Data Protection Officer between February 2023 and November 2023:

Nature of Training	Number of Sessions Held
Data protection training for headteachers (including induction/re-familiarising and new data protection policies introduction)	4 (28.02.23, 05.05.23, 03.07.23 & 26.09.23)
Training on the content of the <i>School Staff Social Media Policy</i> and <i>School Staff E-mail Policy</i>	Catchment area- 3 (18.04.23, 07.06.23 & 27.11.23) Individual school- 3 (24.04.23, 01.09.23 & 28.11.23)
Dealing with Information Requests (from Individuals and the Police) and Sharing Personal and Sensitive Information Safely	2 (10.03.23 & 01.09.23)
General data protection training for school staff	Open to anyone- 1 (12.06.23) Individual school- 1 (05.06.23) HMS session- 1 (01.09.23)- with a total of 67 school staff accounts logged in to the session with attendants from 21 primary schools (please note that a number of staff may have attended on one staff member's account).
Total	15

Training sessions have continued to be held with sessions being held with school staff on the content of the *School Staff Social Media Policy* and *School Staff E-mail Policy*. More schools have arranged dates later on in the year for the training to be held.

A data protection presentation has been provided to **6** governing bodies during this period (with one school governing body receiving the presentation for the second time) bringing the total governing bodies who have received the presentation to **25**. The presentation highlights the main requirements and expectations on schools regarding data protection obligations.

Many schools are also completing the data protection module as part of their subscription to the Educare programme.

The training programme 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.

A *Schools Data Protection Training Plan* has been developed for the 2023-24 school year.

This includes a rolling programme of data protection training with sessions being run on a monthly basis for the following training topics. These are open to anyone who would like to attend and are delivered via Microsoft Teams:

- General Data Protection.
- Dealing with Information Requests (from Individuals and the Police) and Sharing Personal and Sensitive Information Safely.
- Dealing with Data Breach Incidents and Information Security.

Posters have been shared for the dates of the training sessions but take up by school staff has been low to date.

The need for individual schools to maintain a central register of which members of staff have attended data protection training and the date attended has been discussed with headteachers/data protection leads during the 2023 annual data protection audit visits. This will make reporting on the number of school staff that have attended data protection training easier to collate and will support schools with evidencing their accountability by ensuring staff are aware of their responsibilities.

3.1.3. Map 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, and progress has been made with creating agreements.

3.1.4. Data Protection Audit

In the period between March 2023 and October 2023, the Schools Data Protection Officer visited **44** of the 45 individual schools to review data protection compliance and arrangements, spending approximately **93 hours** within schools. The last school has scheduled a visit for next month.

Schools have or are due to receive a report following on from the visit detailing progress within different areas and an overall risk score has been provided. Actions that need to be taken have also been included within the report.

It is evident that progress is continued to be made in terms of data protection compliance. Schools have adopted key data protection policies and are now in the process of monitoring their own compliance with these policies; schools have overarching Privacy Notices; schools have further improved the security around their personal data both physically and electronically; more school staff and governors have received general data protection training and more specific themed data protection training and more schools have agreements in place with data processors used for different apps and programmes. 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.

The next audit visits are planned to take place between March and June 2024.

3.2. Schools Data Protection Development Strategy 2023-2024

A Schools Data Protection Development Strategy 2023-24 has been developed for the current school year (please see copy of the strategy in APPENDIX B).

The following contains details regarding progress so far regarding actions that are additional to those contained under items 3.1 and 2.2:

3.2.1. Share New Publication Scheme Template

The current Publication Scheme template needs to be reviewed and needs to focus more on the actual documents and information that schools publish. A draft has been developed but needs to be shared with the Schools Data Protection Operational Group for their input and for their approval.

Following approval of the template, this will be shared with schools to adapt to reflect their individual circumstances and will need to be adopted and be publicly available (to be shared on school websites or via other appropriate means).

The Schools Data Protection Officer will be offering support for schools to adapt the template.

4. On-going Developments and Activities

4.1. Schools Data Protection Operational Group

A Schools Data Protection Operational Group was established in April 2022 and has continued to meet on a regular basis.

The group is a forum where schools can provide input and feedback on data protection matters and developments.

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.

4.2. Termly Schools Data Protection Up-Date and Newsletter

The Schools Data Protection Officer provides regular up-dates to schools which includes sharing a termly newsletter. To date, schools have received **7** newsletters, with **3** being received during this reporting period (April, June, and September).

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 Schools ICT 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.

Content continues to be added to the data protection page on the Learning Service microsite where all current policies, guidance and templates are available for schools to use.

4.3. Upgrades and Improvements to ICT Arrangements

ICT upgrades and improvements have continued during this period and has an impact on the data protection programme.

All schools have now enabled Multi Factor Authentication (MFA) on relevant HWB accounts of staff to improve security when accessing HWB from home. This has also taken place for many HWB accounts for school governors. This has been undertaken as part of the national programme by HWB.

All primary schools have transferred to InTune, and work is being undertaken in the secondary schools at present. This improves access security on school devices.

5. 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:

	February 2023 – November 2023	November 2021 – January 2023
Number of reported data breaches	15 (with 3 being reported to the ICO)	9 (with 0 being reportable to the ICO)
Number of data subject access requests	18 (with 9 being advice only and 9 involving preparing/checking data)	9
Number of data protection complaints	0	2

There are more reported data breaches in this period than the previous reported period. This can be due to schools having better understanding of what is defined as a data breach and the need to inform the Schools Data Protection Officer when an incident has taken place. The ICO has confirmed that no further action is required for

2 of the data breaches reported and the ICO has not yet provided its findings for the third incident.

The number of data subject access requests that schools have received has increased significantly during this period. Individuals or parents have been exercising their rights much more and schools have been contacting the Schools Data Protection Officer. Some schools have asked for advice, and some have asked for support with preparing the relevant personal data or checking that the school has correctly redacted or has applied the correct exemptions within their responses.

No complaints have been received via the ICO during this period.

6. 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 Llangefnï; 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) due to the possible risk to the highly sensitive records held by the schools.

Following the incident, an internal work programme was formed that contained several important and far-reaching remedial steps to address various technical and information governance elements that were deficient.

The ICO shared its outcome with the Council in May 2023 and confirmed that no further intervention is required by them.

It is clear that the Council's ability to recognise and identify what needed to be adopted and improved upon was acceptable to the ICO, and that this has prevented further intervention. Additionally, the ICO offered encouragement to continue with the technical and data protection governance improvements in the schools, which has taken place via the Schools Data Protection Officer and the Council's ICT Service officers.

For details of all progress in terms of data protection governance and ICT improvements since the incident, please see APPENDIX C.

7. Schools Data Protection Officer Statement- November 2023

Since the last report, issued in January 2023, 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 have begun the process of **monitoring** and **evidencing 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** during this period, 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.

More specific pieces of work need to be completed now, including schools adapting the pre-populated ROPA and Information Asset Register template; ensuring that DPAs are in place for apps and programmes used; creating DPIAs where there is high risk processing and having a *Business Continuity Plan* and *Disaster Recovery Plan* in place.

Schools continue to show that they understand their **responsibilities** and implications as the data controller and the legal expectations that come as a result. Schools continue to 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 continue to seek advice and guidance relating to data protection matters from the Schools Data Protection Officer.

Schools Data Protection Officer Assurance Assessment (November 2023)	Reasonable Assurance
Most schools have now adopted the key data protection policies and are now monitoring their compliance with individual policies. Practices have continued to improve with staff and governors having better knowledge of data protection obligations via training sessions and presentations. Progress has been made in terms of ensuring that schools have the required Data Protection Agreements for apps and programmes used and with upgrading the security of ICT systems and the general security around both physical and electronic data. The majority of schools have Privacy Notices and there is regular communication between the Schools Data Protection Officer and schools via newsletters and annual audit visits. Further work needs to be undertaken on specific pieces of work to ensure that all schools are on the same level of compliance and are closer to be fully compliant and can evidence this.	

8. Conclusions and Next Steps

8.1. Conclusions

- Progress continues to be made in relation to the actions within the *Schools Data Protection Development Strategy* and all schools becoming fully compliant with data protection legislation.
- Most schools have now adopted the key data protection policies and are now monitoring their compliance with individual policies.
- The majority of school staff have now received data protection training at least once with many schools having received more themed training. Many school governors have also been provided with a presentation and have improved their understanding of the school's data protection obligations.
- Schools continue to have an in-put into developments and pieces of work undertaken to progress the data protection programme via the Schools Data Protection Operational Group.
- Progress continues with upgrading and strengthening ICT systems, infrastructure and security with MFA being enabled on staff and governors' HWB accounts and with the roll out of InTune.
- Most schools 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 individual schools to monitor compliance with data protection obligations again this year which provides an invaluable insight of where individual schools are up to in terms of compliance and in highlighting what support is needed.
- Further progress has been made, but to continue reviewing and creating suitable Data Processing Agreements for all current and new apps and programmes used by schools.

8.2. Next Steps

- To monitor that schools are monitoring their own compliance with all data protection policies.
- To continue to create and review Data Processing Agreements for current and new apps and programmes, including agreements for apps and programmes where the Council is also involved.
- To continue delivering general and specific data protection training to all school staff and governors as this has contributed to ensuring that everyone within the school structure is aware of their data protection responsibilities.
- To continue to monitor that all schools have safely disposed of historical documents to ensure that there is no information kept past its retention period.
- 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.
- A pre-populated ROPA and Information Asset Register template for primary and secondary schools have been created and needs final approval so that schools can adapt for their individual needs. Sessions to be held to support schools to adapt the template.

- To finalise the *Business Continuity Plan* and *Disaster Recovery Plan* and share with schools to adopt.
- To finalise and adopt monitoring functions 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.
- To complete a piece of work to confirm which records need to be transferred from primary to secondary school to ensure there is a clear and uniform process for all schools to use.
- To create a new Publication Scheme template for schools to adapt and to adopt.
- To review the current Service Level Agreement for the Schools Data Protection Officer service that is due to end on the 31 March 2024.
- To re-score the answers for the GDPR questions on the School Management Review in order to provide a current picture following actioning the actions within the *Schools Data Protection Development Strategy*. Schools Data Protection Officer to hold sessions to provide support to headteachers to re-score the answers.
- To prepare for the changes that will occur as a result of the *Data Protection and Digital Information Bill (DPDI)* being passed and replacing the *UK GDPR* and *Data Protection Act 2018*. To make changes required to policies, key documents and training and ensure that schools are fully aware of the changes and are compliant.

APPENDIX A

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).

APPENDIX B

SCHOOLS DATA PROTECTION DEVELOPMENT STRATEGY 2023-24

KEY DATES FOR SCHOOLS TO ACTION

VERSION 1

Month action begins	Action	Date action needs to be completed by
October 2023	<ul style="list-style-type: none">• Amend Schools Record of Processing Activities (ROPA) and Information Asset Register Template (pre-populated) in order to reflect the school's specific data protection arrangements. Group/individual sessions will be held where the Schools Data Protection Officer will be providing support to schools to adapt the template.• (If relevant)- Complete CCTV DPIA- the Schools Data Protection Officer to hold meetings with individual schools to complete CCTV DPIA amended from the standard CCTV DPIA template.	<p>Each individual school with a ROPA and Information Asset Register and has confirmed this on the School Management Review by 09.02.24</p> <p>All schools that have a CCTV system with a current CCTV DPIA for their individual school by 09.02.24</p>
February 2024	<ul style="list-style-type: none">• Schools to adopt the latest versions of the data protection policies and guidance that have been reviewed:<ul style="list-style-type: none">○ Schools Data Protection Policy○ Schools Information Security Policy○ Schools Data Breach Policy○ Schools Governing Body Data Protection Guidance○ Schools Data Breach Guidance	<p>Schools have adopted and confirmed on the School Management Review by 24.05.24</p>

<p>April 2024</p>	<ul style="list-style-type: none"> • Schools to accept the new version of the Service Level Agreement for the Schools Data Protection Officer service (current agreement expires on the 31 March 2024) • To re-score Answers for the GDPR Questions on the School Management Review in order to provide a current picture following actioning the actions within the Schools Data Protection Development Strategy. Schools Data Protection Officer to hold sessions to provide support to headteachers to re-score the answers. 	<p>Schools to accept and sign the new Service Level Agreement by 24.05.24</p> <p>Sessions held and every school re-scored by 28.06.24</p>
<p>March 2024 - June 2024</p>	<ul style="list-style-type: none"> • Conduct Annual Data Protection Audit- Schools Data Protection Officer to visit each individual school to review data protection arrangements and compliance. To focus if schools can evidence that they are monitoring their compliance with all of the data protection policies. 	<p>Schools Data Protection Officer completed every visit to each individual school by 28.06.24</p>

APPENDIX C

Actions Completed as Part of the Internal Work Programme Following Secondary Schools Cyber Incident

1. Overview

Following the incident in June 2021, an internal work programme was formed that contained several important and far-reaching remedial steps to address various technical and information governance elements that were deficient. Technical and data protection governance improvements have been led by the Schools Data Protection Officer and the Council's ICT Service officers.

2. Data Protection Governance Improvements

No	Actions and Improvements	Progress Since July 2021
1	To up-date current data protection policies and to create new policies.	<p>A total of 14 data protection policies have been either updated following the adoption of the <i>UK GDPR</i> or created as new policies for schools:</p> <ul style="list-style-type: none"> • Schools Data Protection Policy. • Schools Data Breach Policy. • Schools Information Security Policy. • Procedure for Sharing Information with Police Authorities in the United Kingdom (Gwynedd & Anglesey). • Schools Data Subject Access Request Policy. • Schools Data Processing Policy. • Transferring School Records to the Anglesey Archives Policy. • Schools Data Protection Impact Assessment Policy. • Schools CCTV Policy. • Schools Record Management Policy. • Schools E-Safety Policy. • School Staff E-mail Policy. • School Staff Social Media Policy. • Taking Photos for the Purpose of School Publicity Policy. <p>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.</p>
2	To ensure school staff and governors have received data protection training and	Training sessions have been held with headteachers, school staff and governors. A total of 51 training sessions have been held

	are aware of their responsibilities in terms of data protection compliance.	between July 2021 and November 2023 and 25 governing bodies have been audience to a data protection presentation.
3	To use the School Management Review (SMR) to monitor compliance and to confirm which policies have been adopted by schools.	The School Management Review was used to gain baseline information regarding compliance and is used to monitor which schools have adopted which data protection policies.
4	To create a Service Level Agreement between schools and the Council for the Schools Data Protection Officer service.	A Service Level Agreement was created and shared with schools to sign in November 2021 following a period of consultation. The current SLA will be reviewed in March 2024.
5	To map the data flow between the schools and the Council.	A group was established to look at contracts and the processes in place between schools and the Council to identify where an agreement is required. Work is on-going with this workstream.
6	To review arrangements with Data Processors and create/review Data Processing Agreements where required.	Mapping work around which systems, programmes, and apps that each individual school uses has been completed. This has provided information whether schools already had appropriate data protection agreements in place and further work has been completed to create new Data Protection Agreements where needed and when new apps and programmes are used. Work is on-going with this workstream.
7	To create a Record of Processing Activities (ROPA) Package and Information Asset Register Package.	A guidance on how to create a ROPA was developed. Instead of providing a template for schools to complete themselves, the Schools Data Protection Officer has instead been developing a pre-populated ROPA template for schools to adapt (both a primary and secondary version). This also includes an Information Asset Register. These have been developed using the information gathered from the mapping exercise regarding which systems, programmes, and apps used. The templates are ready to be approved and sessions will be held to support schools with adapting the templates.
8	To create a Schools Data Protection Impact Assessment Package.	A risk register template and risk matrix were developed and shared with schools to support individual schools with identifying and monitoring data protection risks.
9	To complete Data Protection Impact Assessments.	A general DPIA template has been created for relevant schools to adapt for their CCTV system. Work is on-going with this workstream.

10	To create a consent form package.	The current consent form for publishing photographs on various platforms has been reviewed and updated and a leaflet has been produced to explain to pupils and parents how <i>UK GDPR</i> consent works.
11	Conduct a data protection audit.	The Schools Data Protection Officer has visited each individual school to review data protection compliance and arrangements both in 2022 and 2023.
12	Discuss schools' data protection matters with the Primary and Secondary Forums and share the school's data protection update newsletter.	The Schools Data Protection Officer provides regular up-dates to schools which includes sharing a termly newsletter. There is also a schools data protection section within the school governors' bulletin and regular up-dates and information relating to data protection are provided via the Learning Service weekly bulletin. The Schools Data Protection Officer is regularly invited to attend the Primary and Secondary Schools Strategic Forum meetings and is also a member of the Schools ICT Forum and the Improving Processes and Systems Working Group. There is a data protection page on the Learning Service microsite where all current policies, guidance and templates are available for schools to use, and a Schools Data Protection Operational Group has been established.

3. ICT Improvements

The following are improvements suggested by the company that supported the Isle of Anglesey County Council following the secondary schools cyber incident (NCC Group).

As part of the response to the incident, it was decided to move the equipment used by schools to Microsoft InTune. The migration has been completed for the primary schools and Canolfan Addysg y Bont, with work being started on the migration of secondary schools.

No	Suggested Improvements	Progress to Date
1	Upgrade from legacy operating systems	By migrating to InTune, current versions of Windows installed or the computer has been de-commissioned if installing updates was not possible.
2	Implement Multi Factor Authentication (MFA)	MFA in place via InTune. Any requests to log in from outside of the school network needs MFA.
3	Disable legacy e-mail protocols (IMAP & POP3)	This has been addressed by the use of the HWB e-mail system.

4	Up-to-date anti-virus scan	All equipment that have been migrated to InTune receive Defender up-dates.
5	Microsoft local administrator password solution	Equipment have administrator accounts that are unique and complicated, details are securely stored by the ICT team.
6	Remote desktop hardening	Remote Desktop has been disabled.
7	Restrict internet access	Access to the internet has been disabled from servers.
8	Deploy Endpoint Detection and Response (EDR)	Need to prepare a business case once the secondary schools migration has been completed.
9	SIEM solution	SIEM has been installed corporately, work has begun to look at importing school data.
10	Account privileges	Accounts on equipment are not administrator accounts.
11	Review patch management	Updates are managed via InTune settings and the infrastructure team are organising updates for other packages as needed.
12	Review potentially unwanted programmes	All computers reconfigured and only software that is approved is installed.