

Citizen Space & Dialogue User Group 2018

GDPR and data retention ...



General Data Protection Regulation (GDPR)

- Comes into force 25 May 2018
- Expands the definition of personal data
- Changes some conditions of processing
- Introduces new privacy framework that focuses on accountability and demonstrating compliance
- Greater enforcement, bigger fines

Getting ready for GDPR

- Privacy Impact Assessment carried out
 - Ensures all data protection principles are considered
 - Provides evidence of governance decisions taken around privacy risks
- Invited our Information Governance Unit to attend our Consultation Hub User Group
- Considered how we manage data retention...

In line with the [Council Records Retention Schedule](#) and to adhere to the regulations of the [General Data Protection Regulation](#) coming into force in May 2018 we must review all consultations that have been closed for 3 years or longer in order to decide whether or not responses associated with these should be removed from the platform.

Type of Survey

- **Online** – this has responses attached. Follow this process through.
- **Link** – this does not have responses attached but is linked out to data. Follow this process through.
- **Offline** – there are no responses attached to an offline survey. This can be kept and noted in the comments that no personal data is held. Follow this process through.
- **Explanatory text** - there are no responses attached to explanatory text. This can be kept and noted in the comments that no personal data is held. Follow this process through.

This audit should be carried out twice per year. At the beginning of the year and in the middle of the year

- From the 'manage consultations' homepage on the Consultation Hub, download the list of consultations

The screenshot shows the 'Find Consultations' page on the Consultation Hub. It features various search filters such as Audience, Interest, Department, Area, Owner, Date, and Results. Below the filters, there is a table titled 'Showing All Consultations' with columns for Consultation Title, Responses, Department, Owner, Open Date, Close Date, Status, and Progress. A red circle highlights a link that says 'Download This List of Consultations (.csv)'.

- Sort the list by end date to see which consultations ended 3 years ago or more and should therefore be reviewed in line with the Council data retention schedule.
 - Copy and paste the details of those that are to be reviewed into the master spreadsheet which is saved – [G:\Corp\Business Intelligence\Strategy and Insight\Insight and Engagement Framework\Consultation Hub\Data Retention\Data Retention Record.xlsx](#)
- This will ensure that, once a consultation has been audited and any information is deleted, we have a record of it, including how many responses there were (if any) and what action was taken. It also ensures that we have a record of where we are with the data retention / review process.
 - There is a standard email that should be sent out to owners (or contact – it may have been set up by the S&I Team on behalf of a service) of consultations to advise them of what is happening and give them an opportunity to deal with any data they wish to download or to object if there is any reason to retain the consultation on the Hub, please email template doc. Please tweak the email accordingly.
 - Emails should be sent out from the Strategy and Insight inbox so that they can always be dealt with by a member of the team. A reminder should be sent out in week 3
 - As per the email, we can send out a copy of the report to the service area if they ask us to. It is up to them to be aware of local data retention rules in their area
 - If we are keeping personal information (responses) for longer than 3 years it is important to note the reason for this on the spreadsheet

Please note: Some consultations will be high profile and should be kept as a permanent record in the archives. Although the facility for this is yet to be developed we should, where we feel appropriate, advise the service area that we will liaise with the archives on whether it is appropriate to retain a permanent record of the consultation. If so, until a facility is developed, we will retain the consultation on the Hub (in its entirety) and note this on the spreadsheet. For consultations that have been archived we should rename with 'archived' at the front of the title.

After the 4 week period allocated to services to respond:

- o You are ready to remove personal data (responses) unless you have agreed otherwise

Online Survey

- o Clone the original survey
- o If there is 'We Asked, You Said, We Did' information you will need to copy this over to the new version as it is automatically cleared but we want to retain this. Check this before you delete the old version.
- o Responses/personal information are now cleared
- o Update the title to remove the 'Copy of' detail and rename survey with 'deleted' at the front of the title to indicate that this is an audited version and so limited information is available
- o Delete the original survey with responses attached

Link

- o Go into the original consultation
- o Retract the consultation
- o Go into dashboard and into 'Link'

Reviewing consultations on the hub

- Guidance note created for the process
- Weekly leavers list / users list
- Review those closed for more than 3 years in line with our Records Retention Schedule
- Audit every 6 months
- Decide whether or not responses associated with these should be removed

Data retention record

- Advice from our Info Governance team
- Record documents decision regarding consultation
 - Review dates
 - Decision to destroy / retain
 - Reviewing officer
 - Comments on decision
 - Location where outcome documents stored

Archived vs Deleted



- High profile consultations could be kept as a permanent record in the archives
- Advise owner that we will liaise with archives on whether we should retain a permanent record
- Process for this still to be developed and agreed
- Until then, we will retain these consultations on the Hub (in their entirety) and note them on the data retention record.