

Sandwell Audit Themed Review – Data Protection

Audit and Risk Committee



Timeline

Audit Start
Date

- 22nd April 2020

Audit End
Date

- 22nd November
2020

Query
Resolution

- 23rd December
2020

Evidence Base

Sample of Subject Access Requests (5)

Monthly Reports to the Strategic Enabling Team

Guidance from the Information Commissioner

Individual data protection breach notifications to Information Asset Owners



Executive Summary

Introduction

An audit Data Protection was undertaken as part of the approved Internal Audit Plan for 2020/21.

Scope and objectives of audit work

Our audit considered the objectives and the potential risk to the achievement of those objectives.

Objectives Reviewed	Potential Risks
To provide assurance that the necessary safeguards are in place to ensure the appropriate use of personal and corporate information.	<ul style="list-style-type: none">• Data breaches are not managed appropriately.• Risks are not identified, or controls and actions put in place to mitigate them.
Limitations to scope of audit	Limited to recent subject access requests and data breaches.

Overall conclusion

	Limited	Satisfactory	Substantial
Our audit provides Substantial Assurance over the adequacy of the controls reviewed as part of the process to mitigate risks to an acceptable level.	There is a risk of objectives not being met due to serious control failings.	A framework of controls is in place, but controls need to be strengthened further.	There is a robust framework of controls which are applied continuously.

Issues Arising - Significant

Action is required to avoid exposure to significant risks in achieving objectives
Significant

No	Issue arising	Agreed action including responsibility and target date
2.1	<p>A sample of five Subject Access Requests (SARs) was selected to be examined to ensure compliance with required deadlines. However, for three of the sample (SARS20002, SARS20003 and SAR20004), no documentary evidence was provided during this review to enable timescales to be confirmed.</p> <p>Implication:</p> <p>Assurance cannot be provided that SARs are responded to within required deadlines.</p>	<p>Documentary evidence should be retained for all SAR requests to demonstrate compliance with required deadlines.</p> <p>Management response: Automated techniques using Office 365 E-Discovery tools being assessed which will provide case management functionality and audit trail.</p> <p>Deadline and Responsible Officer: 31 October 2021 – Data and Governance Manager</p>

Issues Arising – Merits Attention

Action is advised to enhance risk control or operational efficiency
Merits Attention

No	Issue arising	Agreed action including responsibility and target date
2.2	<p>Monthly reports are produced and presented to the Strategic Enabling Team (SET) which detail the number of Subject Access Requests (SARs) and Freedom of Information Requests (FOIs) received by the Authority, and how many have been responded to within a specified time frame. The reports presented to SET contained errors. For example, the March report for 2020 illustrated that one SAR had been received by the Authority when in fact three had been received.</p> <p>Implication:</p> <p>Incorrect position is being presented to SET with regards to SARs received and responded to.</p>	<p>Reports presented to SET should be checked to ensure that they contain the correct information. A reconciliation should be undertaken between the monthly report produced to SET compared to the recording spreadsheet for before reports are submitted to the SET meeting.</p> <p>Management response: This issue of time lag and missing entries has been remediated. The Strategic Enabling Team (SET) have access to a Power Bi dashboard showing Data Protection Subject Access Requests (SAR) and Freedom of Information (FOI) requests as soon as they are logged within the Data and Governance Team.</p> <p>Deadline and Responsible Officer: Complete circa January 2021 – Data and Governance Manager</p>

Conclusion

Opinion of Substantial Assurance

2 Issues Identified

- 1 - Significant
 - Plan to remediate by 31st October 2021
 - Assessing use of technology to expedite search and retrieval of information
 - More rigorous retention and archiving
- 1 - Merits Attention
 - Complete