

JOB DESCRIPTION	
Job title	Data Protection Officer
Department	Legal Services - Information Governance Team
Location	Civic Centre
Job summary	<p>To provide legal direction, support and advice to the Council, Corporate Chief Officers, Heads of Service and all Departments and Divisions across the Council's services in relation to their data protection obligations.</p> <p>To take the lead role in the management and implementation of data protection compliance as well as overseeing the Councils compliance with the Freedom of Information Act and Environmental Information Regulations.</p> <p>To act as the project manager for the implementation of the General Data Protection Regulations.</p> <p>The Data Protection Officer post will be a protected role within the Council. The Council shall ensure that the Data Protection Officer does not receive any instructions regarding the exercise of the main tasks. The Data Protection Officer shall not be dismissed or penalised by the Council for performing these tasks. The data protection officer shall directly report to the highest management level within the Council. In this instance the Deputy Chief Executive.</p>
Short term objectives	Strategically develop and improve the Councils data protection compliance ensuring the Council develops a robust and effective plan for the implementation of the General Data Protection Regulations.
Long term objectives	<p>To work with and support directorates across the Council ensuring compliance with the data protection legislation. To put in place formal data protection standards - based on the supervisory authority standards and legal frameworks.</p> <p>To inform and advise the Council and its employees who carry out processing of their obligations pursuant to the data protection legislation.</p> <p>To line manage the Information Governance Officer.</p>
Main tasks	<p>Management responsibility for the Information Governance Officer.</p> <p>Effectively manage and administer and act as the budget holder for the Information Governance Financial Budget.</p> <p>To monitor compliance with the data protection provisions, with other countries data protection provisions and with the policies of Council in relation to the protection of personal data, including the assignment of responsibilities, awareness-raising and training of staff involved in processing operations, and the related audits playing a critical role in decisions made relating to data protection.</p> <p>To take the lead in providing expert data protection advice to Members, Chief Officers, Council officers and external clients relating to all aspects of data protection.</p> <p>Develop and implement a comprehensive data protection plan and provide advice in this area.</p>

To draft complex legal agreements relating to the processing of personal information for use with external organisations in order to ensure data protection compliance, this will include but not limited to data disclosure agreements, data processing agreements, data transfer agreements memorandum of understandings and confidentiality agreements. This will also include the drafting of interdepartmental agreements.

To provide expert advice where requested regarding data protection impact assessments and monitor its performance.

To cooperate with the supervisory authority in all matters relating to information governance; and to investigate regulatory complaints in accordance with relevant regulatory requirements.

To act as the contact point for the supervisory authority on issues relating to processing, including the prior consultation, and to consult, where appropriate, with regard to any other matter relating to information governance.

To promote data protection compliance and best practice by setting and maintaining standards and procedures, ensuring the Councils data protection policies are up to date and disseminate any changes in the legislation to key members of staff.

Oversee the management of freedom of information requests, environmental information requests and data protection requests pursuant to individual rights under data protection and privacy legislation.

To carry out reviews of the Councils decisions to refuse requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and the Data Protection Regulations where required, whilst ensuring that the original decision made by the Information Governance Officer was accurate and where appropriate overturn any decisions previously made.

Advise on all elements of processing personal data internationally and on the requirements and implications of data protection laws.

To provide detailed advice in relation to Direct Marketing specifically relating to data protection requirements and the Privacy of Electronic Communications Regulations 2003. Where appropriate drafting a legal notice to ensure compliance with the statutory provisions, including advice relating to opt in/out clauses.

To provide expert advice to the Council and where appropriate draft privacy notices, fair processing notices, collection statements and any other data protection notices in order to ensure that individuals are aware of our intentions to process their data and ensuring that the Council is processing personal data in a fair and lawful manner in line with the individual rights.

To investigate and report on any processing, blocking, erasure, destruction and the right to be forgotten notices issued by individuals in accordance with the relevant articles contained within the Regulations, ensuring that the purposes of the processing are

	<p>compatible with the conditions for processing in accordance with the Regulations and responding to the individual accordingly.</p> <p>Take the lead in responding to any legal claims issued against the Council for damages relating to breaches of data protection. Liaising where appropriate with the Legal Department.</p> <p>To provide expert advice in relation to any data protection queries regarding the use of social media and report any serious issues to the Deputy Chief Executive.</p> <p>Undertake and manage data protection audits and reviews across all Council services that are processing personal data in order to ensure that the Council is compliant with the legislation.</p> <p>To manage, investigate and resolve all complaints from individuals in relation to their rights under the data protection laws and Human Rights Act. Ensuring that adequate reporting mechanisms are in place for recording such complaints.</p> <p>Investigate breaches and incidents of data protection, establishing any potential weaknesses in Council policies and inform the Information Governance Forum accordingly. Formally report all compliance issues relating to information governance, including any complaints and breaches of the legislative framework to the Deputy Chief Executive.</p> <p>Provide advice and assist with all data protection queries relating to projects, programmes and data sharing initiatives.</p> <p>Co-ordinate information governance activities with Data Protection Officers in the South Wales Information Forum in relation to information management activities and attend such information governance meetings as necessary.</p> <p>In relation to the performance of these tasks have due regard to the risk associated with processing operations, taking into account the nature, scope, context and purposes of processing.</p>
Reporting to	Deputy Chief Executive and Director of Place and Transformation
Managed by	Head of Legal and Democratic Services
Responsible for	Information Governance Officer

PERSON SPECIFICATION

Job title	Data Protection Officer	
Department	Legal Services – Information Governance Team	
Location	Civic Centre	
PERSONAL ATTRIBUTES	ESSENTIAL	DESIRABLE
1. Amount of experience required	<p>At least two years practical work experience of dealing with data protection issues in an operational environment.</p> <p>Thorough understanding of all legislation, regulations and codes of practice relating to information governance.</p> <p>Experience of developing, implementing and maintaining policies and procedures.</p> <p>Clear understanding of implications surrounding data protection compliance within a large organisation.</p> <p>High levels of communication skills, conflict management skills, relationship management skills and the characteristics and behaviours required to lead and motivate, often in times of significant pressure.</p>	<p>Experience in conducting awareness training.</p> <p>Have knowledge of the current issues and general trends in the delivery of services</p> <p>Experience of handling complaints.</p> <p>Experience of managing and administering a budget.</p>
2. Technical skills required	<p>Expert knowledge of data protection legislation, regulations and codes of conduct.</p> <p>Expert knowledge of Freedom of Information legislation, regulations and codes of conduct.</p> <p>The ability to conduct investigations relating to data breaches whilst giving due consideration to the relevant Human Resource Policies.</p> <p>Analytical and problem solving skills.</p> <p>The ability to interpret Information Tribunal and Court decisions.</p>	<p>Project management skills</p> <p>IT Literacy</p> <p>Highly proficient written, oral and presentation skills.</p> <p>Ability to learn new technical skills/knowledge quickly.</p>

	<p>Excellent skills ownership and the ability to transfer these skills to team members where appropriate.</p> <p>Application of general computer software, application of specialised computer software and management systems relating to information governance.</p>	
<p>3. Formal qualifications</p>	<p>5 GCSE's grade C or above (including English, Maths and Science)</p> <p>Educated to degree level or higher in Law or another relevant discipline</p> <p>ISEB Data Protection Practitioner</p>	<p>WASPI Facilitator</p> <p>Complaint Investigation Training</p> <p>ISEB Freedom of Information Practitioner</p> <p>GDPR Practitioner</p>
<p>4. Personality and Competencies required</p>	<p>The candidate must be personable, approachable, diplomatic, tactful, enthusiastic and reliable. Must be a team player.</p> <p>Must be able to prioritise workload and manage multiple deadlines.</p> <p>Must be highly organised and ability to work under pressure.</p> <p>Must demonstrate a very positive attitude to the work in hand.</p> <p>A strong customer focus outlook and excellent communication skills.</p> <p>Analytical problem solver.</p> <p>Ability to persuade and change opinion.</p> <p>Good communicator both with colleagues and customers.</p> <p>Highly self-motivated and directed.</p> <p>The ability to collect and synthesise large amounts of highly complex information, on a</p>	

5. Special requirements (i.e. car driver)	<p>daily basis, in order to make key decisions.</p> <p>Full UK drivers licence</p> <p>A Disclosure and Barring Service Check is an essential requirement for this post.</p>	
Manager's signature		
Head of Department signature		
Date	26 July 2016	
Prepared by	Ellis Cooper	