

**CABINET REPORT - DATA PROTECTION POLICY 2026**

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The Interim Corporate Governance Manager presented the revised Data Protection Policy, highlighting statutory changes from the Data (Use and Access) Act 2025, new requirements for data protection complaints procedures, expanded definitions, and the introduction of training and transparency measures, with the panel agreeing to recommend its approval and ongoing monitoring.

The revised policy incorporates changes from the Data (Use and Access) Act 2025, including the statutory requirement for a published data protection complaints process by 19 June 2026, updates to the legal framework, and clearer definitions of roles and responsibilities, especially for elected members.

The policy sets out four SMART objectives: establishing a clear complaints process, improving information governance performance, increasing competence and awareness through training, and enhancing transparency and record keeping. Training for both staff and elected members is planned, along with the publication of performance data.

The Vice – Chair, Councillor Long requested guidance from the Monitoring Officer if this policy was to be approved by Full Council and not only Cabinet. The Chief of Staff and Monitoring Officer referred to the Constitution and confirmed the policy was to be agreed by Cabinet not Full Council.

The Vice – Chair, Councillor Long questioned what steps were being taken to achieve 100% compliance and further questioned if it was known of any Council's that had been fined.

The Interim Corporate Governance Manager confirmed she was unaware of any Council's which had been fined. She added the ICO considers complaints on case-by-case basis, and the enforcement actions and notices were published on the website of the ICO.

Councillor Sayers requested that future reports to the panel include detailed statistics on data protection complaints, compliance with statutory timeframes, and outcomes. The panel agreed to monitor these metrics annually, with the Interim Corporate Governance Manager confirming that service-specific KPIs would be developed.

The Leader, Councillor Beales endorsed the request of future reports to the Panel to monitor data protection complaints, compliance with statutory timeframes, and outcomes.

Councillor Nash raised concerns about Councillors being directed to use FOI requests instead of their rights of access to information. The Chief of Staff and Monitoring Officer clarified that member inquiries should be handled through the appropriate channels and announced upcoming training to clarify access rights.

Councillor Morley referred to Local Government Reorganisation and recognised the importance of data and included in the capital programme was funds for a hardware refresh. He highlighted the importance of having a common platform in preparation to migrate systems.

The Interim Corporate Governance Manager confirmed the system used was the same as Breckland District Council and further enquires would be made with Norfolk County Council in preparation.

The panel agreed to recommend the policy for cabinet approval, noted the statutory publication deadline, and authorised the Data Protection Officer to update the policy as required by changes in ICO guidance or legislation, with updates to be reported to cabinet.

**RESOLVED:** The Panel supported the recommendations to Cabinet

Cabinet Recommendation:

1. Approve the Data Protection Policy 2026 at Appendix A, to take effect from the date of this meeting.
2. Note that the data protection complaints procedure required under section 103 of the Data (Use and Access) Act 2025 (inserting section 164A into the Data Protection Act 2018) will be published on the Council's website by 19 June 2026 in accordance with the statutory deadline.
3. Authorise the Data Protection Officer, in consultation with the Leader of the Council, to update the Policy between formal review cycles where required by changes to ICO guidance or legislation, subject to those updates being reported to the next available Cabinet meeting.

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## **CABINET REPORT - HEALTH AND SAFETY POLICY AND STATEMENT OF INTENT**

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The Assistant Director for Health, Wellbeing and Public Protection presented the updated Health and Safety and Welfare Policy, outlining its structure, legal obligations, and the responsibilities of staff and members, with the Panel discussing the application of case law, support for members under stress, and the separation of internal and regulatory health and safety duties before agreeing to recommend the policy for adoption.

The policy was divided into three parts: a statement of intent, governance arrangements and responsibilities, and further organisational arrangements. It clarified that wholly owned companies must have their own policies and that the policy was concise to allow for easier updates, with supporting guidance to be made available separately.

In response to a query from Councillor Nash on the Women for Scotland Supreme Court hearing and case law; the Chief of Staff and Monitoring Officer explained the need to respond to new guidance on equality and diversity. She explained that the council would review its facilities and policies in light of new guidance and case law, with scrutiny committees involved in the process.

In response to a question from the Vice – Chair, Councillor Long, the Assistant Director for Health, Wellbeing and Public Protection clarified that the policy covers the council's internal health and safety obligations, while statutory regulatory duties (such as food premises inspections) are managed separately.

Members' roles in both areas were discussed, with emphasis on their inclusion in the internal policy as Members were not employees of the Borough Council however Members used the facilities and engage with residents therefore Members had responsibility. He referred members to page 87 where this was outlined, and the Panel were advised guidance and training was to be provided as Members role in this policy was important to be clarified.

Councillor Nash questioned what support was available for Members under stress. The Chief of Staff and Monitoring Officer explained support was to be considered on a case-to-case basis and the Local Government Association provides training on civility in public life and safeguarding for Councillors. The Leader endorsed the Chief of Staff and Monitoring Officer comments and advised it may not be formal support but assistance to Councillors was to be provided. He commented in relation to the policy there was a need for an overarching policy as there was good culture however it was not formalised into a policy. He added Officers and Members were all responsible for Health and Safety.

The panel agreed to recommend the adoption of the policy, delegate responsibility for annual administrative reviews to the Chief of Staff and require significant changes to be brought back to Council for approval.

**RESOLVED:** The Panel supported the Recommendation to Council:

Council Recommendation:

To approve the adoption of the Health, Safety & Welfare Policy.

2. To delegate responsibility for approving annual administrative reviews to the Chief of Staff.
3. To note that the policy where significant changes to the policy are made that these will be brought back to council for approval.