

Policy & Resources Committee 1st September 2025

Report: Assertion 10 – Digital and Data Compliance for the 2025/26 Annual Governance and Accountability Return (AGAR)

1. Introduction

The Annual Governance and Accountability Return (AGAR) for 2025/26 will include **Assertion 10 — Digital and Data Compliance**. This new requirement strengthens the Council's responsibility for data protection, cyber security, transparency, and digital best practice.

This report sets out the steps required for Faversham Town Council (FTC) to achieve compliance ahead of next year's AGAR submission.

2. Background

The Practitioners' Guide 2025 (Part 5, paragraphs 5.117–5.128) sets out the requirements for Assertion 10. Key expectations include:

- Use of authority-owned email accounts, preferably with a .gov.uk domain.
- Adoption and enforcement of an IT Policy, covering safe use of IT and email.
- Appointment of a Data Protection Officer (DPO) and adoption of a Data Protection Policy.
- Management of Freedom of Information (FOI) requests and compliance with the Publication Scheme.
- Ongoing compliance with the Transparency Code and Local Government Transparency Code 2015 (for councils with expenditure over £25,000).
- Website accessibility with an up-to-date accessibility statement.
- Regular data protection training, audits, and security measures.

3. Current Position (FTC)

- **Email & Domain:** FTC is compliant as all staff and councillors are provided with email addresses with the domain @favershamtowncouncil.gov.uk
- **Policies:** FTC has a Data Protection Policy and Privacy Notice and has recently adopted an IT Policy.
- **Data Protection:** A DPO (Town Clerk) is in place, but regular data audits and training records need to be formalised.

- **FOI & Publication Scheme:** FTC has adopted the ICO's Model Publication Scheme. FOI compliance is managed and will be reviewed as part of the formal policy updates.
- **Website Accessibility:** FTC has an accessibility statement, which is reviewed annually and updated.
- **Transparency:** FTC already publishes financial and governance data and complies with the 2015 Local Government Transparency Code.

4. Actions Required for Compliance

To meet Assertion 10 in 2025/26, FTC should implement the following actions:

4.1 Digital Security and Email

- Enforce the use of authority-owned email accounts only for all Council business.
- A generic clerk@favershamtowncouncil.gov.uk has been issued.

4.2 Policies

- Ensure all relevant policies are updated when required, confirming mandating authority-owned email use, IT security standards, and acceptable use guidance.
- Review and update the Data Protection Policy to reflect current practices.

4.3 Data Protection

- Conduct an annual data audit (covering what data is held, where, why, and how it is processed).
- Ensure regular GDPR and cyber security training for councillors and staff, with records kept.

4.4 FOI and Transparency

- Regular review of the ICO's Model Publication Scheme and ensure it is published on FTC's website.
- Review FTC's website content to ensure compliance with the Local Government Transparency Code 2015, including:
 - Expenditure over £500
 - Contracts and tenders
 - Land and building assets
 - Senior salaries and staffing structures (where applicable)

4.5 Website Accessibility

- Ensure the regular review and update FTC's Accessibility Statement, including:
 - Reasons for any non-compliance.
 - Alternatives for accessing non-compliant documents.
 - Contact point for accessibility requests.
- Ensure annual review is recorded in minutes.

5. Financial Implications

- **Training:** modest cost.
- **Staff time:** Officer time required to conduct audits, update policies, and manage migration.

6. Legal and Governance Implications

- Compliance is required under GDPR, FOI Act 2000, and Transparency Code 2015.
- Failure to comply may result in negative findings by internal audit, reputational damage, and potential ICO action for data protection breaches.

7. Recommendations

It is recommended that the Policy & Resources Committee:

1. Notes the requirements of Assertion 10 – Digital and Data Compliance.
2. Agrees to conduct an annual data audit and provide annual data protection and cyber security training for staff and councillors.
3. Notes the regular review of policies including FTC's Data Protection Policy, Publication Scheme, and Accessibility Statement.
4. Confirms that FTC will ensure full compliance with the Local Government Transparency Code 2015.

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Town Clerk
23rd August 2025