



**East Midlands Shared Services Joint Committee
11 December 2023**

Subject:	East Midlands Shared Services Data Processing Agreement	
Corporate Directors	Shabana Kausar – Director of Finance, Nottingham City Council (NCC) Simone Hines – Assistant Director of Finance, Strategic Property and Commissioning (LCC)	
Report author and contact details:	Lucy Littlefair – Head of East Midlands Shared Services 01163056333 lucy.littlefair@emss.org.uk	
Key Decision	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Subject to call-in <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Summary of issues (including benefits to citizens/service users):		
This report provides advice on the data processing agreement between Leicestershire County Council and Nottingham City Council with recommendations for amendments.		
Recommendation(s): The EMSS Joint Committee is requested to:		
1. To approve the amendments		
2. To authorise the EMSS Sponsors to sign the amended document		

1 Reasons for recommendations

- 1.1 To ensure that EMSS and the partners have robust information governance arrangements in place.

2 Other options considered in making recommendations

- 2.1 None.

3. Background

- 3.1 In 2018 a new Data processing Agreement was produced and signed in response to the General Data Protection Regulation (GDPR) which came into force in May of that year.
- 3.2 In order to ensure that the partners have robust information governance arrangements in place this agreement has been reviewed to ensure it reflects the law as it stands as well as best practice.

3.3 Both partners' Information Governance Teams were approached for comments and changes. The document attached at Appendix A shows the changes which have been proposed. There are two main categories of changes, to ensure that the agreement will incorporate any future changes to UK GDPR legislation and to reflect the transfer of Nottingham City Homes staff to Nottingham City Council.

4. Recommendation

4.1. To approve the amendments to the Data Processing Agreement.

4.2 To authorise the EMSS Sponsors to sign the amended DPA

5 Finance colleague comments (including implications and value for money/VAT)

5.1 None.

6 Legal and Procurement colleague comments (including risk management issues, and legal, Crime and Disorder Act and procurement implications)

6.1 None.

7 Social value considerations

7.1 None

8 Equality Impact Assessment (EIA)

8.1 None

9 List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

9.1 None

15 Published documents referred to in this report

15.1 None