



Minutes of Audit Committee, Tuesday 2 April 2019

Present Mr O Cussen (Chair), Professor A Burke, Mr D McCarthy, Professor R Reilly, Professor R Byrne

Apologies Ms A Duffy

(ex officio) Internal Auditor/Secretary (Mr F Sheeran), Secretary to the College (Mr J Coman)

In Attendance Deputy Internal Auditor (Ms F McAuliffe), Deputy Internal Auditor (Ms A Cooney), Ms M Thompson

The Interim Data Protection Officer (Mr J Eustace) attended for item AD/18-19/70

(Items of specific interest to the Board are denoted by XXX)

AD/18-19/67 Statements of Interest

The Chair invited members to declare any potential conflict of interest they may have in relation to items on the Agenda. There were no statements of interest.

AD/18-19/68 Minutes

The Minutes of the meeting held on 12 March 2019 were approved, subject to a minor amendment.

AD/18-19/69 Call-over

The Committee noted the actions that had been implemented since the previous meeting and those that remained outstanding.

SECTION A and B - Policy & Implementation Issues

AD/18-19/70 GDPR Update

XXX The Committee noted the following documents, which had been circulated for consideration under this item:

- Memorandum from the Data Protection Officer dated 12 March 2019
- Memorandum from the Interim Data Protection Officer dated 28 March 2019
- Memorandum from the Secretary to the College dated 27 March 2019 together with two Appendices
- Minute EOG Meeting dated 19 March 2019

The Secretary to the College joined the meeting.

The Chair welcomed the Interim DPO to the meeting for consideration of this topic.

Introducing the item, the Internal Auditor advised members that the Data Protection Officer (DPO) had left Trinity in March 2019 and that the GDPR Project Lead was assuming the DPO role on an interim basis pending the recruitment of a new DPO. He advised that he had enquired if there was any status report that could be used to update the Committee prior to the DPO departing. As there were no reports to management from the DPO, she prepared and circulated a memorandum to the Committee for consideration at its meeting on 23 March 2019. He reminded members that, due to pressure of business at that meeting, the Committee had deferred consideration of it to this meeting. He briefly summarised some key points from the paper by the outgoing DPO. The Committee noted the memorandum from the Interim DPO, which confirmed the challenges that had been outlined in the DPO's memorandum.

The Chair then invited the Secretary to the College to update the Committee on recent progress and invited him to highlight the main points in his memorandum to the Committee. The Secretary to the College acknowledged that GDPR is a significant challenge and risk for the university. He acknowledged that that some deliverables were behind schedule, mainly due to delays in recruitment. The Secretary provided the Committee with details of the current budget, plans to recruit additional staff and the training of staff. He advised that while there is work still to be completed, in his view there is a good project in place, it is resourced to a good level and that he is confident that the project will be completed by 2020 and full compliance achieved. The Committee also noted the impact of the Health Research Regulations and that a new post of Deputy DPO (Research) will be created.

In response to a query from the Chair regarding the form of reporting to management and Executive Officers on GDPR, the Secretary to the College advised that the paper by the outgoing DPO was circulated to Executive Officers and that he also regularly meets the Interim DPO. He also confirmed that a GDPR Steering Group will be established shortly which will report to Executive Officers.

During a detailed discussion, the Committee acknowledged the complexity of GDPR and the challenges it poses for every organisation, not just Trinity. However, the Committee stressed that the university appears to be running a high level of risk and that there are a number of significant risks yet to be addressed, also some of which are outside of the project. The Committee acknowledged the investment in the project and the strong emphasis on the project elements. However, noting that it is now a year after the effective date for GDPR, the Committee expressed concern at the continuing level of risk, the timelines and rate of progress to date, recruitment difficulties and the feasibility of the target date of 2020.

The Chair thanked the Interim Data Protection Officer for his contribution to discussions and he withdrew from the meeting.

The Secretary to the College also withdrew from the meeting due to another commitment.

During a subsequent discussion, the Committee expressed concern in regard to the risks and in particular commented that it is not clear

from the various papers presented to them who is accountable for the risks. The Committee acknowledged that the topic again highlights the additional challenges to achieving compliance in a confederal institution, a matter which featured in the last Annual Report. The Committee also noted that there are differing views on what constitutes the DPO role, commenting that under the Regulation it is a problem identifying role and not a problem solving role.

In conclusion, the Committee emphasised that there needs to be a stronger focus on the risk management aspects of GDPR as distinct from the GDPR project. The Committee also stressed that there needs to be clear lines of accountability and a better understanding of the DPO role. Whilst acknowledging the progress made, the Committee stressed that it is not satisfied with the current level of compliance. The Committee agreed to highlight the issues in its forthcoming Annual Report to Board and to continue to have regular updates on GDPR.

AD/18-19/71 Annual Report to Board

The Chair drew the Committee's attention to the draft of the 2018/19 Annual Report to Board, which had been circulated to members in advance of the meeting. The Committee also noted the Responses to the 2017/18 Annual Report to Board, which had been circulated together with the Executive Officers Minute of 19 March 2019.

The Chair invited members to reflect on the draft of this year's Annual Report and, in particular, consider if it incorporates the key messages they wish to impart to Board.

Following a detailed discussion, members proposed a number of amendments to the draft Report. Noting that the next meeting of the Committee is not until 4 June 2019, the Committee agreed that the final version of the Report be emailed to Committee members for comment and final approval.

In conclusion, the Internal Auditor and Chair agreed to circulate by email a final draft of the Annual Report incorporating all the points raised during the discussion.

Action:

The Internal Auditor and Chair to circulate a final Draft Annual Report for 2018/19 to the Committee by email for approval, after which the Chair will present the Committee's report to Board.

AD/18-19/72 Audit Function Risk Register

The Committee noted the memorandum from the Acting Deputy Internal Auditor dated 5 March 2019, together with the updated Audit Function Risk Register, which had been circulated. The Committee noted the amendments made since the last iteration of the Audit Function Risk Register.