

**Cherwell**DISTRICT COUNCIL  
NORTH OXFORDSHIRE**Urgent Decision Taken by Chief Executive****Published on 27 September 2022****Decision:** Appointment of Data Protection Officer**Decision taker:** Chief Executive**Decision Date:** 11 August 2022**Is decision subject to Call-in?** No – not an Executive decision**Deadline for Call-in:** N/A**Is decision Exempt?** No**Is decision urgent?** Yes**Summary**

To appoint a Data Protection Officer in light of the end of the formal partnership working arrangements between Cherwell District Council and Oxfordshire County Council

**Decision****Resolved**

- (1) That Shahin Ismail, Interim Assistant Director Law, Governance and Democratic Services, be appointed as the Council's Data Protection Officer with immediate effect to 17 October 2022.
- (2) That Shiraz Sheikh, Assistant Director Law, Governance and Democratic Services, be appointed as the Council's Data Protection Officer from 17 October 2022.

**Reasons for Decision**

Along with all public authorities, Cherwell District Council is required to designate one of its officers to carry out the statutory duties of the Data Protection Officer pursuant to Articles 37-39 of the GDPR.

The Council's current Data Protection Officer is an employee of Oxfordshire County Council (OCC), appointed pursuant to the shared working agreement entered into by Cherwell District Council (CDC) and Oxfordshire County Council pursuant to section 113 of the Local Government Act 1972.

In light of the decision to end the formal partnership working arrangement between OCC and CDC all joint services were reviewed. As part of this review, it was agreed

that Information Governance would be fully decoupled as at 31 August 2022 with a separate provision of the service by each Council. It is therefore necessary for Cherwell District Council to appoint a CDC officer as Data Protection Officer.

The Monitoring Officer is the Proper Officer for Access to Information and therefore, in accordance with statutory requirements, it is recommended that the Assistant Director Law, Governance and Democratic Services (with the Interim postholder holding this role until 16 October 2022 and the permanent post holder holding the role from 17 October 2022) be appointed as the Council's Data Protection Officer.

### **Options Considered**

Option 1: To retain the current Data Protection Officer. This is rejected as the service has been decoupled and the current DPO is not a CDC employee.

Option 2: Not to appoint a Data Protection Officer. This is rejected as the Council is legally required to appoint to the statutory post.

Option 3: To appoint an alternative officer. This is rejected because Shahin Ismail and Shiraz Sheikh have the necessary skills and experience to fulfil the role.

### **Conflicts of Interest Declared and Dispensations Granted by Head of Paid Service**

None

### **Attachments**

Report to Chief Executive – Appointment of Data Protection Officer

Yvonne Rees  
Chief Executive