READING BOROUGH COUNCIL

REPORT BY DEPUTY CHIEF EXECUTIVE

TO:	AUDIT AND GOVERNANCE COMMITTEE		
DATE:	20 APRIL 2021		
TITLE:	INFORMATION GOVERNANCE QUARTERLY UPDATE		
LEAD COUNCILLOR:	CLLR ELLIE EMBERSON	PORTFOLIO:	CORPORATE AND CONSUMER
SERVICE:		WARDS:	ALL
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1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 This report outlines the actions in progress to improve the Council's policies, systems and processes for better Information Governance.

1.2 In the last two years, the Committee has received a number of limited assurance reports in in relation to information governance and work is ongoing to address the underlying issues in the following areas:
- Freedom of Information
- Data Transparency
- Records Management

2. RECOMMENDED ACTION

Audit and Governance Committee is asked:

2.1 To note the progress to date and future actions outlined in this report.

2.2 To identify matters of interest for future reports.

3. POLICY CONTEXT

3.1 The Council's new Corporate Plan (2021) has established three themes for the year 2021/22. These themes are:

- Healthy Environment
- Thriving Communities
- Inclusive Economy

3.2 These themes are underpinned by "Our Foundations" explaining the ways we work at the Council:

- People first
- Digital transformation

- Building self-reliance
- Getting the best value
- Collaborating with others

3.3 Full details of the Council's Corporate Plan and the projects which will deliver these priorities are published on the [Council's website](). These priorities and the Corporate Plan demonstrate how the Council meets its legal obligation to be efficient, effective and economical.

3.4 Data is playing an increasing role in designing, delivering and transforming public services to improve outcomes for customers and drive efficiencies within current financial constraints.

3.5 The Local Government Association describe the value of data to public services as facilitating:

- The design of services around user needs
- The engagement and empowerment of citizens to build their communities
- Efficiencies and public service transformation
- Economic and social growth
- Greater transparency and accountability

3.6 Effective information governance is a key requirement for the Council which has duties to be both open and transparent whilst at the same time protecting the confidential information it holds about people and businesses. How it collects, uses, stores, shares and destroys personal data is governed by the Data Protection Act. The Council also has to comply with the Freedom of Information Act, the Environmental Information Regulations and the Access to Information Act in relation to its records. Compliance is monitored by the Information Commissioner who has wide ranging powers including the ability to impose considerable financial penalties for breaches of the Data Protection Act.

4. **UPDATE**

Restructure

4.1 Following an Internal Audit report to this Committee in Sept 2019 which outlined limited assurance in answering Freedom of Information (FOI) requests a restructure took place in Spring 2020 which brought together the Customer Relations Team and those staff from Legal working on Information Governance issues. This brought the oversight of all FOIs, Subject Access Requests, complaints, MP letters and Ombudsman matters together allowing for better management and oversight. The new team was operational from 22 June 2020. A Customer Relations Team Leader was recruited in December 2020 providing additional capacity to the Customer Relations and Information Governance Manager to address some of the longer-term actions which are identified in the draft Information Management Strategy. This handover of tasks is going well. Recruitment is also under way for an Information Governance Team Leader as the current postholder has gained a promotion elsewhere. Recruitment for an IG apprentice is underway to support the work of the team.

FOI cases

4.2 A new case management system for FOIs went live in March 2021. Training has been provided to officers and the initial signs are that the system is working well with few teething troubles. The new system allows us to develop a bank of frequently asked queries which can be published on the Council's website which should help divert queries from officers where these have already been requested and answered. This aspect of the service will need some time to develop as customers' requests are fulfilled

and logged through the new system. Gradually, the history of previously asked questions will build-up over time. There is no indication at this stage of when that function will stop duplication of work. The FOI function is now centrally managed through the Customer Relations Team, with all requests and answers being channelled via the team. This should help to positively improve response times for FOIs.

4.3 FOIs, Complaints, Responses to MP and Cllr enquiries continue to be monitored weekly by CMT which ensures good organisational oversight and stresses the importance the Council gives to these matters. Encouraging improvements have been noted since Christmas with fewer matters going over the relevant timescale for response.

4.4 An Annual Report showing the performance in all such information requests (FOIs, Subject Access Requests, Complaints, Ombudsman queries, Cllr enquiries) will be instigated for the next meeting of the Committee and report performance for 2020/21.

Information Governance Board

4.5 The Board has recently reviewed the Council's approach to information management in the context of business continuity seeking to draw lessons learned from the pandemic in 2020. Work is under way to review the advice to managers on planning for business continuity events, ensuring suitable access to essential information systems etc.

4.6 The Board has also overseen a planned phishing exercise to test the ability of staff and councillors to spot possible cyber-attacks, scams, fraud etc. It is not appropriate for security reasons to detail all the lessons learned in a public report. However, Councillors should be aware that it is part of our ongoing strategy to repeat such tests and to continue to promote the training for councillors and staff which is in place and has been well received.

Information Management Strategy

4.7 As previously advised, the IG Board is currently preparing an Information Management Strategy and Action Plan which outlines the Council's proposed approach to information management and governance. It is envisaged that this Strategy will be informed by a technical review which has now been commissioned to look at the Council's Information Governance function. After a number of different organisations were approached, Leicester City Council has been selected to undertake this review which starts in April and will report before the summer. An update will be provided for your next meeting. The Strategy is likely to be finalised at Policy Committee by September 2021 after the technical review has reported.

Other Board Actions

4.8 The Board has received a revised Information Security Policy and updated ICT policies. These will be reviewed during this next quarter.

4.9 The Board, meeting monthly, also reviews Cyber Security Incidents and possible breaches of the Data Protection Act which may need to be reported to the Information Commissioner. Where any subsequent actions are identified then these are monitored. There is nothing of note to report to members.

4.10 The Board approved the re-provision of the existing Cyber Security training which is currently rolled out for all staff and members through Learning Pool, the Council's e-learning package. The Board is monitoring the uptake of this training and its effectiveness. As a result of the recent phishing exercise (mentioned above) staff have again been reminded to complete the training online.

4.11 As members may recollect at your January meeting, 6 (13%) councillors and 606 (29%) officers had completed their Cyber Security Training online. The current figures, as of

the date of dispatch, 24 (52%) councillors have completed their cyber security training and 699 (33%) officers have completed their training. The continued support of the Audit Committee members and Group Leaders in helping to close the residual gap is appreciated. Actions are in hand to improve the take-up of the training by staff. This includes better monitoring of training take-up through the Council's HR system to give managers increased visibility of who has done the required training.

4.12   The Board has overseen the Council's re-accreditation to the NHS IG Toolkit. This is a Department of Health (DH) Policy delivery vehicle that the Health and Social Care Information Centre (HSCIC) maintain. It draws together the legal rules and central guidance set out by Department of Health and presents them in a single standard as a set of information governance requirements. Organisations are required to carry out self-assessments of their compliance against these IG requirements before they are allowed to access NHS data. The Council signed up to comply with the Tool-Kit by July 2021 and compliance was achieved in March 2021.

Next Steps

4.13   The focus in the next quarter will be to complete the technical review which has been commissioned as mentioned above. The review is proceeding along the same lines as an ICO consensual audit and will be a useful benchmark. We have the additional benefit of the long operational experience of the staff at Leicester City Council who have undertaken training for many other local authorities in FOI, data protection etc. This should also provide us with practical guidance for any recommended improvements, based on their previous experience with other councils.

4.14   Although the Strategy is in development, I will consider ways in which a report against progress (action plan) can be provided for future meetings.

5.   CONTRIBUTION TO STRATEGIC AIMS

5.1   The purpose of Information Governance is cross-cutting and relevant to all Services of the Council and to all of our public facing services which collect and retain data about the public. The role of Information Governance contributes to the Corporate Priority foundation of "Getting the best value".

6.   ENVIRONMENTAL AND CLIMATE IMPLICATIONS

6.1   The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).

6.2   There is nothing within this report which is of relevance for the Council's strategic priority of Climate Change.

7.   COMMUNITY ENGAGEMENT AND INFORMATION

7.1   Section 138 of the Local Government and Public Involvement in Health Act 2007 places a duty on local authorities to involve local representatives when carrying out "any of its functions" by providing information, consulting or "involving in another way".

7.2   It is not anticipated that there will be public consultation on the Information Management Strategy or Action Plan. It will however be in the public domain at Policy Committee and this Committee, and I anticipate members will wish to receive regular updates at this Committee. This will ensure that progress in this field is visible to residents.

8.   EQUALITY IMPACT ASSESSMENT

8.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.2 An Equality Impact Assessment (EIA) is not relevant to this report. All citizens have rights to information and there is no evidence that any section of the community is disadvantaged in accessing those rights under the current service provision. There is no reason to think that any section of society will be adversely affected by the roll-out of better Information Governance and an Information Management Strategy within the Council.

9.   LEGAL IMPLICATIONS

9.1 The Council is required to comply with a number of information governance regulations including the Data Protection Act and the Freedom of Information Act. Effective governance, policies and practices are essential to minimising the risk of data protection breaches and to help ensure the appropriate handling of information requests. Failure to do so could result in regulatory action being taken against the Council.

10.   FINANCIAL IMPLICATIONS

10.1 There are no direct financial implications arising from this report.

11.   BACKGROUND PAPERS

11.1 There are none