

## READING BOROUGH COUNCIL

### REPORT BY DEPUTY CHIEF EXECUTIVE

TO:	AUDIT AND GOVERNANCE COMMITTEE		
DATE:	19 JULY 2021		
TITLE:	INFORMATION GOVERNANCE QUARTERLY UPDATE		
LEAD COUNCILLOR:	CLLR RUTH McEWAN	PORTFOLIO:	CORPORTATE AND CONSUMER
SERVICE:		WARDS:	ALL
LEAD OFFICER:	MICHAEL GRAHAM	TEL:	
JOB TITLE:	ASSISTANT DIRECTOR LEGAL AND DEMOCRATIC SERVICES	E-MAIL:	michael.graham@reading.gov.uk

#### 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report provides an update on 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 relation to information governance and work is ongoing to address the underlying issues in the following areas:
  - Freedom of Information
  - Data Transparency
  - Records Management
- 1.3 The Customer Relations Team's Data on Complaints, Freedom of Information (FoI) requests and Subject Access Requests (SARs) & MP Enquiries for 2020/21 is appended for the Committee's information.

#### 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 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

### Recruitment

- 4.1 Two key posts are vacant in the Information Governance Team currently and these are out to recruitment. Recruitment is under way for an Information Governance Team Leader and the Information Governance Officer as the previous postholders left the organisation. The initial recruitment round for the Team Leader was unsuccessful, and the council is looking at benchmarking the salary to ensure the role attracts sufficiently qualified applicants. A number of applications have been received for Information Governance Officer and we hope to complete recruitment for this role by the end of July. We have an Interim Information Governance Officer in post, seconded from another service who started at the end of June. The implication for the Service is that with vacancies pending it is not able to quickly address issues such as Subject Access Requests. We are mindful of the need to provide cover for this Service and the interim resource was recruited to ensure we can deal with current SARs.

### 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 as envisaged.

The FOI function is now centrally managed through the Customer Relations Team, with all requests and answers being channelled via the team. This was done to improve response times for FOIs. A separate report has been provided to Audit and Governance Committee tonight which summarises the response rate for FOI cases in 2020/21. The Council wishes to see a response rate of 90% within 20 working days and will be reviewing the performance of this function to establish where improvements can be made within the new centralised system. 90% is the expected response rate of the Information Commissioner.

- 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.

#### **Data Transparency (Transparency Code)**

- 4.4 Members will recall that the audit in this area revealed that some of the information which was required to be published, was not available on the Council's website. Work has been ongoing to rectify this. All of the relevant information and sources of data have now been identified and a Transparency Code page will be added to the Council's website this month with the information that has been received and formatted. Two of the data sets collected require further formatting to meet the needs of the Code before publication. A process for review and publishing the required information for the future is in draft format. This will be reviewed by the Information Governance Board and finalised to complete the actions required following the audit recommendations.

#### **Information Governance Board**

- 4.5 The Board is currently reviewing a range of ICT Security Policies:

Ict-camera-and-video-usage-policy v1.3  
Ict-controls-for-storage-and-carriage-of-hardcopy-documents v1.3  
Ict-Email Monitoring Policy v1.2  
Ict-huddle-acceptable-use-policy v 1.3  
Ict-information-risk-management-document-marking-policy v 1.7  
Ict-Internet Monitoring Policy v1.1  
Ict-pcidss-personal-commitment-policy V 1.4  
Ict-PSN-personal-commitment-policy V 1.5  
Ict-removable-electronic-media-usage-policy v1.4  
Ict-security-golden-rules v1.10  
Ict-security-policy-statement v1.8  
Ict-standards-expected-of-third-parties-policy v1.6  
Ict-use-and-information-security-policy v1.11

These policies will be signed off by the Information Governance Board following review. The Board will also be reviewing outcomes from ransomware attacks at other local authorities to assist with our own cyber security preparations.

- 4.6 The Board will consider the report from Leicester City Council (once finalised) and recommendations will be presented to the next Audit and Governance Committee.

#### **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. This Strategy will be informed by the technical review which is being completed by Leicester City Council and in the process of being finalised. The Strategy is expected to be provided to Policy Committee this Autumn.

## **Other Board Actions**

- 4.8 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 in relation to these issues.
- 4.9 The Board continues to monitor the 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. Further reminders have been sent to staff. The previous indication of Audit and Governance Committee that this training should be mandatory has been communicated to staff. Data has been provided to managers about compliance in their service. Current figures are below:

	Jan 2021		April 2021		June 2021	
Councillors	6	13%	24	52%	27	59%
Officers	606	29%	699	33%	1043	50%

- 4.10 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. Some work is also being undertaken to check the breakdown of the staff cohort which is expected to undertake the online training offer. There are a number of frontline staff (grounds staff, cleaners etc) who will need a different training approach to the online module. They still have a role in Cyber-Security as regards physical access and security of premises etc.
- 4.11 The Board is also monitoring the take up of the new Information Governance and Data Protection module. (This replaces the old Data Protection Module). At present 426 officers have completed this. However, this number does not account for those officers who had recently completed the previous DPA module and now are being asked to take the new module in line with everyone else. Again, further work is being done to promote this training and provide information to managers about the uptake.
- 4.12 The Board will make further recommendations to CMT on which training is to be mandated and the frequency of refresher training. CMT has already considered proposals from Human Resources about recording a range of mandated training on the iTrent system. After further work with Services to finalise the list of mandated training and the relevant refresher periods, CMT will be asked to endorse the final schedule. Cyber security, Data Protection and FOI are key topics to be included.

## **Next Steps**

- 4.13 The focus in the next quarter will be to take on board the recommendations of the technical review which has been undertaken (as mentioned above). The review is proceeded 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 along with key details of policy review, staffing issues and key metrics.

## **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. The cost of the LCC review has been met from the Service budget.

## **11. BACKGROUND PAPERS**

11.1 There are none