

READING BOROUGH COUNCIL

REPORT BY DEPUTY CHIEF EXECUTIVE

<b>TO:</b>	<b>AUDIT AND GOVERNANCE COMMITTEE</b>		
<b>DATE:</b>	<b>30 SEPTEMBER 2021</b>		
<b>TITLE:</b>	<b>INFORMATION GOVERNANCE QUARTERLY UPDATE</b>		
<b>LEAD COUNCILLOR:</b>	<b>CLLR RUTH McEWAN</b>	<b>PORTFOLIO:</b>	<b>CORPORATE AND CONSUMER</b>
<b>SERVICE:</b>		<b>WARDS:</b>	<b>ALL</b>
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**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

**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 in the Information Governance Team have been recruited. We are pleased to have secured the services of an experienced Information Governance Team Leader and we have appointed an apprentice for the team. Following two rounds of advertising we are yet to recruit a suitably qualified Information Governance Officer. We still retain an Interim Information Governance Officer in post, seconded from another service who started at the end of June. This officer and the apprentice are helping to address a backlog of Subject Access Requests.

### FOI cases

- 4.2 As previously reported, the 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. 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.

- 4.4 Following the data provided at the July meeting for the year 20/21, I have sought to provide information on a monthly basis analysed by Directorate. Unfortunately, this information is not ready at the point of dispatch but I will present it at your meeting.

### **Data Transparency**

- 4.5 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. All of the relevant information and sources of data have now been identified and the Transparency Code page has been added to the Council's website. A process for review and publishing the required information for the future was considered at the Information Governance Board and is being finalised with additional details to aid accountability and future review.

### **Information Governance Board**

- 4.6 There has only been one Board since the previous Committee so there is less to report. This is due to the pattern of meetings over the summer. The Board has considered the necessity of printing at home as a result of requests made from some Service areas. The Board wishes to see a clear policy in this area and that any exceptions are justified through a proper process. Work is ongoing.
- 4.7 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.

### **Information Management Strategy**

- 4.8 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 has been completed by Leicester City Council. The Strategy is expected to be provided to Policy Committee this Autumn.
- 4.9 The technical review is in the process of being finalised with some further discussion around recommendations. Broadly, the draft recommendations cover:
- a) Data Protection Governance - The extent to which data protection responsibility, policies and procedures, performance measurement controls, and reporting mechanisms to monitor DPA compliance are in place and in operation throughout the organisation.
  - b) Training and Awareness - The provision and monitoring of staff data protection training and the awareness of data protection requirements relating to their roles and responsibilities.
  - c) Records Management (manual and electronic) - The processes in place for managing both manual and electronic records containing personal data. This will include controls in place to monitor the creation, maintenance, storage, movement, retention and destruction of personal data records.
  - d) Security of Personal Data - The technical and organisational measures in place to ensure that there is adequate security over personal data held in manual or electronic form.
  - e) Subject Access Requests - The procedures in operation for recognising and responding to individuals' requests for access to their personal data and other rights exercisable.

f) Freedom of Information Governance - The extent to which responsibilities, policies and procedures, performance measurement controls, and reporting mechanisms to monitor compliance with the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR) are in place and in operation throughout the service.

g) Data Sharing - The design and operation of controls to ensure the sharing of personal data complies with the principles of the GDPR and DPA, and the good practice recommendations set out in the Information Commissioner's Data Sharing Code of Practice.

### Training

- 4.10 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 instructions have been sent to staff. The Deputy Chief Executive's all staff bulletin at the end of July reminded officers that this was mandatory training.

Data has been provided to managers about compliance in their service. A further data cut is being provided. In addition, officers are currently working on a link between Learning Pool and iTrent so that information can be made available to all managers on an ongoing basis.

Current figures are below:

	Cyber			Information Governance		
	Complete	Not Complete	% Complete	Complete	Not Complete	% Complete
DACHS	187	141	57	81	247	24
DEGNS	434	677	39	261	850	23
DoR	333	163	67	236	260	47
No dept	4	4	50	4	4	50
Total	958	985	49	582	1361	29

- 4.11 Members should note there is a change to the figures. The system holding the data has been cleansed to allow for better reporting. This means a number of leavers have been removed from the system. The number of total staff has been adjusted to 1943. In your July Committee this was reported as 1043 staff members or 50%. This number is now reduced to 958 and 49%. Further work to analyse the data will take place to ensure there is accurate reporting especially as we drill down into Service areas and Teams which need further encouragement and follow up to do the training.
- 4.12 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 the July meeting 426 (20%) officers had completed this. Currently 582 or 29% have completed this, which is a slight improvement given that the same data set has been cleansed as above. Whilst this number is low it does not account for those officers who had 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 revised frequency of this training and its mandatory nature.

- 4.13 The Board will make further recommendations to CMT on which training is to be mandated and the frequency of refresher training. CMT has already mandated Cyber security and Data Protection training on an annual basis. FOI training is mandated for new starters and is being kept under review to see if this needs to be added to the annual list.

### **Next Steps**

- 4.14 The focus in the next quarter will be to take on board the recommendations of the technical review and finalise the Information Management Strategy, and reporting mechanisms.

## **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