

READING BOROUGH COUNCIL

REPORT BY DEPUTY CHIEF EXECUTIVE

TO:	AUDIT AND GOVERNANCE COMMITTEE		
DATE:	25 JANUARY 2022		
TITLE:	INFORMATION GOVERNANCE QUARTERLEY UPDATE		
LEAD COUNCILLOR:	CLLR RUTH McEWAN	PORTFOLIO:	CORPORATE AND CONSUMER SERVICES
SERVICE:		WARDS:	ALL
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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 several 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 must 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 Since the last report when the Information Governance Team secured the services of an experienced Information Governance Team Leader and an Information Governance Officer, the Information Governance Officer did not take up the post. This post is still vacant as recruitment, despite two rounds of advertising, has been unsuccessful. We will review the job description and the possibility of adding a market supplement and advertise the post in early February 2022. The apprentice for the team is gaining more experience and we still have the services of an Interim Information Governance Officer, seconded from another service, who started at the end of June. This officer and the apprentice are continuing to help 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 update provided at the September meeting for the year 20/21, the table below shows the information available for quarter 2 of 21/22. Please note that there is a lag in the monthly data as time for compliance is 20 days which means that requests received at the end of a month can't be counted as being sent until the following month.

Freedom of Information Requests

Total number received in Q2

Directorate	Total No. Received	%	Q1 Total
BFFC	29	20.1%	30
DACHS	10	6.5%	22
DEGNS	81	48.1%	68
DoR	34	25.3%	66
Total	154	100%	186

- 4.5 The Council and BFFC have seen a decrease in the number of requests received from 272 in Q4, 186 in Q1 to 154 in Q2, this may be attributed to the fact that all FOI response are now published on the disclosure log and requestors have to search the log before they can submit an FOI via the online form. This allows them to find the information they may want, without having to submit their request.

FOI's Responded to in Timescale by Directorate

Directorate	No. sent in timescale	%
BFFC	20	69%
DACHS	8	80%
DEGNS	60	74%
DoR	29	85%
Mixture	0	0
Total	117	77%

- 4.6 In Q2 the Council and BFFC responded to 177 FOI request and overall, 77% of these were sent out in timescale which is an improvement from Q1 when 106 FOI's were responded to and 56% of these were sent out in timescales.
- 4.7 Below is a monthly breakdown of the number of FOI's received and the % responded to in timescale. As stated above the number of FOI's coming into the organisation is reducing and the response time is showing improvement in this quarter.

Breakdown by month

Directorate	FOI's received - July	% Sent in Time - July	FOI's received August	% Sent in Time - August	FOI's received - Sept	% Sent in Time- Sept
BFfC	8	87%	11	55%	10	70%
DACHS	1	100%	N/A	N/A	4	75%
DEGNS	23	70%	24	71%	34	79%
DoR	8	87%	13	90%	13	92%
Overall	40	70%	48	72%	61	79%

Data Transparency

- 4.8 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 the relevant information and sources of data have now been identified and a 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 has been checked by the Council's Audit Team who asked for clarification on the use of Government Procurement cards. The Customer Relations & Information Governance Manager has established that the Council does not use Government Procurement cards. The website and process are being updated to reflect the feedback from the Audit Team.

Information Commissioner's Office

- 4.9 Since the last report to this committee, three breaches were reported to the ICO as precautionary measures. The ICO has closed these cases stating no further action is required of the Council other than to continue to train staff and raise awareness of risks in particular around emailing the incorrect recipients. There is nothing further of note to report to members in relation to these issues.
- 4.10 The Information Governance Board asked for a review to be carried out by the Information Governance Team and the IT Security team to explore whether further measures can be put in place for outgoing emails to be more secure, for example by the use of the Egress system or switching off the auto fill function on the TO field within an email. The Board agreed that switching off the autofill will cause staff and managers some degree of inconvenience. A specialist new system could prove to be an excessive cost to the Council and as such staff are advised to use the existing Encrypt system and to be more vigilant when populating the TO and CC fields of outgoing emails. The matter is to be reviewed further when options are provided by CICTS.

Information Management Strategy

- 4.12 As previously advised, the Information Governance Team 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 was completed by Leicester City Council last year. The Strategy is will be provided to Policy Committee in March.
- 4.13 The technical review is complete and has been finalised. Broadly, the recommendations cover the areas below in more granular detail which have been amalgamated with the existing actions from the Strategy. An action plan for all the recommendations has been prepared with many of the actions underway or complete.

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

- 4.14 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. The Board was presented with data on 17 January 2022 asking them to make recommendations to CMT around the importance of relating the training requirements to staff roles and responsibilities and monitoring the uptake of training as part of staff supervision and appraisal process. Further reminders have been sent to Assistant Directors to follow up with individual staff who are yet to complete these training requirements.
- 4.15 Data has been provided to managers about compliance in their service and the current figures set out below are as at 30 November 2021. The completion of the Cyber Security Training has improved from the 50% completion rate reported in September 2021 to the current report which is now 79%.

Current figures are below:

	Cyber			Information Governance		
	Complete	Not Complete	% Complete	Complete	Not Complete	% Complete
DACHS	236	108	79	183	161	53
DEGNS	554	154	78	432	277	61
DoR	386	51	88	321	115	74
No dept*	13	2	87	12	2	80
Total	1189	315	79	948	556	63

* *Unions and Interpretation and Translation Services*

4.16 There has been an increase in the completion of both modules since the last report. Members should note there is again a change to the staffing figures since the previous report to this Committee. As stated in the September Committee report, further analysis has taken place to ensure there is accurate reporting going forward. The number of staff has been adjusted to 1869 and 365 members of staff have been identified as not having access to IT. The main types of role that fall within this are:

- Refuse Management/Streetcare
- Cleaners
- Nursery staff
- Grounds people/Arborists/Gardeners
- Casual/Election staff
- Entertainment staff (Hexagon, South Street etc)
- Casual staff (Registrars service, Libraries etc)

These staff will need to have tailored team meeting/paper-based training to ensure they are aware of the subjects covered in the online training. A training pack with key messages was approved at the 17 January 2022, Information Governance Board meeting, and will be rolled out to Services in the forthcoming weeks.

4.17 The Board is also continuing to monitor the take up of the new Information Governance and Data Protection module. The Committee should note the table above which show that 63% of staff identified as IT users have now completed the Information Governance and Data Protection Training. Again, this is a marked increase from the data presented in September when 29% of staff had completed this. We recognise this 63% require further improvement and further work is being done to promote this training and provide information to managers about revised frequency of this training and its mandatory nature.

4.18 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

4.19 The focus is the Information Management Strategy, Action Plan and reporting mechanisms, and to continue to work with Assistant Directors to further improve on the

training uptake and roll out the paper based Cyber Security and Information Governance and Data Protection training to the non-IT users.

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 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