READING BOROUGH COUNCIL

REPORT BY DEPUTY CHIEF EXECUTIVE

TO:	AUDIT AND GOVERNANCE COMMITTEE		
DATE:	12 APRIL 2022		
TITLE:	INFORMATION GOVERNANCE QUARTERLY UPDATE		
LEAD COUNCILLOR:	CLLR RUTH McEWAN	PORTFOLIO:	CORPORTATE AND CONSUMER
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 around 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 outlines its vision and priorities for Reading for the next three years (2022/25). The Council's vision is to help Reading realise its potential and to ensure that everyone who lives and works here can share the benefits of its success. To make this vision happen, the work of the Council is focused around three Corporate Plan themes:

- Healthy Environment
- Thriving Communities
- Inclusive Economy

3.2   These themes are underpinned by the TEAM Reading principles which explain the way we work at the Council:

- Team
- Efficiency
- Ambitious
- Making a difference

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 CorporatePlan-2022-25.pdf (reading.gov.uk).

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 Recruitment to the Information Governance Officer post has proved difficult. As a consequence it has been agreed that the job description will be amended to allow for career progression and development into the role, thereby hopefully encouraging a wide range of applicants. The post will be advertised once the job has been re-evaluated. In the interim the team apprentice and Interim Information Governance Officer, who started at the end of June have been supporting the Team Leader. Two agency staff have also been recruited for six months, to assist with the backlog of Subject Access Requests work.

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, a three moth review of the system was completed and presented to CMT. The initial signs are that the system is working as envisaged, some discrepancies with the system itself have been fed back to the provider to explore possible improvements. 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 with a view to improving response times for FOIs and performance is being monitored to establish where improvements can be made. The Council aspires to meet the 90% response rate expected by 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 January 2022 meeting, the table below shows the monthly information available for quarter 3 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 – these figures are taken from InPhase

Total number received in Q3

Directorate	Total No. Received	%		Q2 Total
BFfC	26	16.4%		29
DACHS	17	10.7%		10
DEGNS	71	44.7%		81
DoR	45	28.2%		34
Total	159	100%		154

4.5   A slight increase in the total number of requests that have been received and majority of the increase has been for DACHS and DoR in this quarter. Customers still have access to the disclosure log, possibly numbers will remain as we have seen or decrease slightly as more requests are answered and more information is made readily available on the log.

FOI's Responded to in Timescale by Directorate

Directorate	No. Sent Out in Q3	%	No Sent out in Q2	%
BFfC	15	57.7%	20	69
DACHS	12	70.6%	8	80
DEGNS	50	70.4%	60	74
DoR	31	68.9%	29	85
Total	108	67.9%	117	77%

4.6 In Q3 the Council and BFfC responded to 159 FOI's and 108 (67.9%) of these were within timescale. This is a drop from what we saw in Q2 when 77% were sent out in timescales, in part this is due to annual leave (Christmas Closure) and staff sickness within the Council and BFfC. We have seen cases having to be reassigned as a result. Overall, 19% of queries (30) were reassigned, 63% of which were not responded to in time. We have identified the issues that have led to delays in responding and shared them with CMT and DMT's so that services can put processes in place to mitigate them.

4.7   Below is a monthly breakdown of the number of FOI's received and the % responded to in timescale.

Breakdown by month for October, November and December 2021

Directorate	FOI's received in October	% Sent Out in Timescale in October	FOI's received November	% Sent Out in Timescale In November	FOI's received December	% Sent out in Timescale in December
BFfC	6	33%	11	73%	9	55%
DACHS	8	75%	5	80%	4	50%
DEGNS	33	73%	24	54%	14	93%
DoR	12	58%	23	70%	10	80%
Overall	43	59%	63	69%	37	70%

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.

Information Governance Board

4.9   The Information Governance Board meet monthly and review Cyber Security Incidents and possible breaches of the Data Protection Act which may need to be reported to the Information Commissioners Office (ICO). Where any subsequent actions are identified then these are monitored. Since the last report to this committee, 24 data incidents have been logged and reviewed by the Information Governance Board. One incident was reported to the ICO as a precaution within the 72-hour timescale. The ICO took no action with regards to this case but made recommendations for the Council which the Council has taken on board and shared with the service and the Board.

The majority of incident notifications are around mis-directed emails and post, which we are addressing through forthcoming Comms campaign and reinforcement to staff about the training requirements. we have just acquired an Information Governance refresher training module, which will be rolled out to both staff and members for completion on an annual basis.

4.10   The Board asked the Information Governance Team and IT Security team to explore whether further measures can be put in place to increase security of outgoing emails, 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. The Egress system would prove to be an excessive cost to the Council however at the March 2022 meeting, the Board requested further feedback from the IT Security team on security measures that can be explored to ensure outgoing emails are more secure. We hope to update this Committee at the next meeting.

4.11   The Information Governance Board has also considered the necessity of printing at home as a result of requests made from some Service areas. Work is ongoing to review and agree appropriate policy and procedural arrangements as required.

Information Management Strategy

4.12   The Information Management Strategy and Action Plan was presented and signed off by the Policy Committee in March 2022. This sets out the Council's approach to information management and governance.

4.13   The Strategy has been presented to all Directorate Management Teams. Staff wide communication and information drop-in sessions to brief and respond to staff queries are planned. The final Strategy broadly covers the areas below where staff and service wide engagement is required to achieve compliance with the data protection responsibility.

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. Ensuring staff are aware of their responsibilities to safeguard their own and customer date.

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 continuing to monitor the uptake of this training and its effectiveness. The Board will be presented with the latest data on 11 April 2022. Recommendation have been made 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.

4.15   Data has been provided to managers about compliance in their service and the current figures set out below are as at 28 March 2022. The completion of the Cyber Security Training has improved further from the 79% completion rate reported in January 2022 to the current report which is now 85%. The Board will continue to monitoring the take up of the new Information Governance and Data Protection module. Committee should note the table below which show that 76% of staff identified as IT users have now completed the Information Governance and Data Protection Training. This is an increase from the data presented in January when 63% of staff had completed this.

Current figures are below:

	Cyber			Information Governance		
	Complete	Not Complete	% Complete	Complete	Not Complete	% Complete
DACHS	269	54	83	251	72	78
DEGNS	593	157	79	493	257	66
DoR	445	24	95	428	41	91
Total	**1311**	**235**	**85**	**1175**	**371**	**76**

4.16   The following teams have been identified as not having access to IT so are not part of the data captured above. The main types of roles that fall within this are:

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

For these staff, we have a tailored team meeting/paper-based training pack which has been drafted and rolled out initially to the Nursery staff within DoR and the Community Reablement staff within DACHS. Following feedback from these two services the training pack is being updated and will be rolled out to the remining services after 11 April 2022 Information Governance Board.

4.17   It has been agreed that Cyber Security and Data Protection training need to be completed on an annual basis. FOI module training is mandated for new starters and is being kept under review to see if this needs to be added to the annual list.

The Information Governance and Customer Relations staff have completed formal FOI Act legislation training as part of their continual professional development. The Information Governance Team Leader and the Customer Relations & Information Governance Service Manager has completed the Data Protection Practitioner course, also as part of their continued professional development.

Next Steps

4.18   The focus is the Information Management Strategy, Action Plan and identifying Data Stewards within team/service areas to work with the Information Governance Team

and deliver the Action Plan. We have identified the Information Assets Owners to be the Assistant Directors, briefings and training for this role is being explored. We will also continue to work with Assistant Directors to further improve on the training uptake and raise awareness of information governance across the organisation.

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   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, the Freedom of Information Act, the Environmental Information Regulations and the Access to 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