

READING BOROUGH COUNCIL

REPORT BY DEPUTY CHIEF EXECUTIVE

TO:	AUDIT AND GOVERNANCE COMMITTEE		
DATE:	19 JULY 2022		
TITLE:	INFORMATION GOVERNANCE QUARTERLY UPDATE		
LEAD COUNCILLOR:	Cllr Terry	PORTFOLIO:	Corporate Services and Resources
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 [Corporate Plan-2022-25](#).

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

Subject Access Requests

4.1 There remains a backlog of subject access requests. Partly this is due to the service being put on hold during the pandemic, and partly it is caused by staffing difficulties. We have brought in additional temporary members of staff to deal with the backlog, and we are working on a business case to procure a longer-term technology based solution to reduce the time needed to deal with these requests, as they are extremely time-consuming.

SAR Backlog Data as at 31 March 2022:

	19/20		20/21		21/22	
	RBC	BFfC	RBC	BFfC	RBC	BFfC
No Received	52	83	35	64	46	36
No Completed	52	78	27	40	32	23
No Outstanding	0	5	8	24	14	13

4.2 Recruitment to the Information Governance Officer post, who leads on this area of work, has proved difficult and the job is in the process of being re-evaluated. The post will be re-advertised as soon as the re-evaluation is complete. In the interim the team’s

apprentice and Interim Information Governance Officer, are supporting the Team Leader. Two agency staff have also been recruited for six months, to assist with the backlog. They have been trained and they are progressing the work which is being checked by an experienced officer prior to release.

4.3 We will report further progress to the Committee.

FOI cases

4.4 As previously reported, a number of measures have been taken with the aim of increasing FOI performance:

- Centralisation of the function in the Customer Relations Team
- Implementation of a new case management system
- Review of the procedures
- Training has been provided to officers
- Continual monitoring weekly by CMT

4.5 Notwithstanding these measures, performance across the Council remains disappointingly low, despite some pockets of improved performance which have been reported to previous Committees. The Council aspires to meet the 90% response rate expected by the Information Commissioner and this has been included as a Corporate Plan KPI.

4.6 Following the update provided at the January 2022 meeting for quarter 3 of 21/22 financial year, the table below shows the quarter 4 data and the annual data for 21/22.

Freedom of Information Requests

Total number received in Q4

Directorate	Q4 Total	%	Q3 Total	%
BfFC	35	12.7%	26	16.3%
DACHS	15	5.4%	17	10.7%
DEGNS	125	45.5%	71	44.7%
DoR	100	36.4%	45	28.3%
Total	275	100%	159	100%

4.7 There was a dramatic increase in the number of FOI's received during the quarter, we cannot establish a pattern as to why there is a 42% increase overall. However there have been FOI's about the golf club planning application, and we have seen more FOI's about software contracts and fly tipping.

4.8 FOI's Responded to in Timescale by Directorate In Q4

Directorate	No. Sent Out in Timescale	%
BfFC	21	60%
DACHS	9	60%
DEGNS	85	68%
DoR	81	81%
Mixture	0	0
Total	192	67.3%

4.9 Breakdown by month

Dir.	FOI's received in January	% Sent out in timescale January	FOI's received in February	% Sent Out in timescale in February	FOI's received in March	% Sent out in timescale in March
BfFC	6	67%	15	60%	14	57%
DACHS	8	63%	4	50%	3	67%
DEGNS	39	75%	47	64%	39	67%
DoR	28	75%	36	92%	36	75%
Overall	81	70%	102	66.5%	37	66.5%

In Q4 the Council and BfFC responded to 275 FOI's and 192 (67%) of these were within timescale again only a slight increase from the 66.9% sent out on Q3.

The FOI Act 2000 states all responses must be sent out within 20 working days.

Considering the increase that we have seen we have been able to keep the response rate at the level it has been throughout the year. However, the response rate is still not as high as it should be and further corrective actions are being considered.

4.10 Freedom of Information Requests received and response times

Directorate	Total No. Received	%	2020/21 Total No. Received	%
BfFC	120	14.7%	169	16.2%
DACHS	63	7.7%	94	9%
DEGNS	348	42.9%	450	43.1%
DoR	243	30.0%	303	29.1%
Mixture	38	4.7%	27	2.6%
Total	812	100%	1043	100%

4.11 FOI Response time by Directorate

Directorate	No. Sent out in timescale	%	2020/21 No. Sent out in timescale	%
BFFC	58	48.8%	108	63.9%
DACHS	44	69.8%	62	66%
DEGNS	220	63.2%	246	54.7%
DoR	180	74.1%	175	57.8%
Mixture	36	94.7%	12	44.4%
Total	538	70.1%	603	57.8%

Although we see an improvement with the timescales for responding compared to that of last year, the number sent out in timescales is still lower than we would like it to be which is in the 90% region.

Data Transparency

- 4.12 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. Feedback from the Audit Team was received on 01 July and is in the process of being actioned, this is led by the Information Governance Team.

Information Governance Board

- 4.13 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. There has been a total of 41 Information Governance related incidents reported between April and 30th June 2022 (26 Relate to RBC and 15 relating to BFFC). None were of a sufficiently high-risk rating to notify the ICO.
- 4.14 The most common themes across both organisations relate to mis-addressed emails and postal addresses being wrongly input, either through transcription errors or in a few cases, wrong data has been held on our systems. All of the incidents and main themes are reported to IG Board on a monthly basis, and solutions are being considered to mitigate email errors and to raise awareness around accuracy in postal correspondence.
- 4.15 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. Since the last update, due to the continuing issue of misdirection of emails colleagues in IT Security have identified two possible products as a security measure to address this problem. The Board will review both proposals and take view on the cost benefit analysis. There are risks of possible fines for data breaches which may exceed the cost of having a system in place to help mitigate these risks.
- 4.16 The Information Governance Board has also considered the necessity of printing at home as a result of requests made from some Service areas. A number of concerns about

officers and councillors working from abroad or away from their home/town has also been discussed by the Board. At this time RBC still does not fully support Printing from anywhere but the RBC Offices; a request was made to begin drafting a remote working policy, this will include printing at home, working away from the office and working while traveling abroad. The policy will have to be subject to consultation with the unions and approved by Personnel Committee before it can be implemented.

Information Management Strategy

- 4.17 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. The next step is to train the Information Asset Owners (IAO), identified as the Assistant Directors and then to recruit an Information Champion (IC) from each service area to work with the Information Governance Team to roll out the actions identified.

Training

- 4.18 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 packages have been updated to the 2022 versions. Both the Cyber security training and the Information Governance Training modules have been updated to the 2022 versions and both modules have a re-fresher 2022 version also. At the Board's request communications have gone out to all staff to complete this training by the end July 2022. New councillors were informed of the training requirement at induction. The Board is continuing to monitor the uptake of this training and its effectiveness. Training data will be available for the next Committee meeting.

- 4.19 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 - *complete*
- Grounds people/Arborists/Gardeners*
- Casual/Election staff
- Community reablement staff - *complete*
- 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, the training pack has been updated and rolled out to all of the above services with a request that it is delivered to all staff by the end of July 2022.

Next Steps

- 4.20 The focus is the Information Management Strategy, Action Plan. The training for the Information Assets Owners and identification and recruitment of the Information Champions.

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