

Audit and Governance Committee

12 April 2023



Reading
Borough Council
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Title	Information Governance Quarterly Update
Purpose of the report	To note the report for information
Report status	Public report
Report author	Michael Graham, Asst. Director of Legal and Democratic Services
Lead councillor	Cllr Liz Terry, Lead Councillor for Corporate Services and Resources
Corporate priority	Our Foundations
Recommendations	The Committee is asked to: 1. note the progress to date and future actions outlined in this report 2. identify matters of interest for future reports

1. 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. Policy context

- 2.1. The Council's new Corporate Plan has established three themes for the years 2022/25. These themes are:
 - Healthy Environment
 - Thriving Communities
 - Inclusive Economy
- 2.2. These themes are underpinned by "Our Foundations" explaining the ways we work at the Council:
 - People first
 - Digital transformation
 - Building self-reliance
 - Getting the best value
 - Collaborating with others
- 2.3. 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.

- 2.4. 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.
- 2.5. 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
- 2.6. 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.

3. Update

Subject Access Requests

- 3.1. 10 cases from 19/20, 20/21 & 21/22 financial years have been completed since the last report in January 2023 and one case from 21/22 was withdrawn by the requestor. A further 29 new cases have also been received for the Council (14) and BFfC (15) between January, February and March 2023 (Q4).
- 3.2. The contract for redaction software has been completed and is with the supplier for signing with a start date of 3 April 2023.

SAR Backlog Data as of 30 March 2023

	19/20		20/21		21/22		22/23	
	RBC	BFfC	RBC	BFfC	RBC	BFfC	RBC	BFfC
No Received	52	88	35	64	44	38	45	55
No Completed	52	87	28	58	35	36	31	36
No Outstanding	0	1	7	6	9	2	14	19

FOI cases

- 3.3. 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
- 3.4. Notwithstanding these measures, performance across the Council remained 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.

- 3.5. Following the update provided at the January 2023 meeting for quarter 2 of financial year, 2022/23 the data for quarter 3 is below.

Total number received in Q3

Directorate	Total No. Received	%	Q2 Total	Q1 Total
BfC	38	16	51	41
DACHS	18	7.6	14	23
DEGNS	77	32.5	131	107
DoR	76	32	95	118
FOI Team	28	11.8	7	N/A
Total	237	100%	298	289

- 3.6. There has been a decrease (20.4%) in the number of FOI's received during the quarter 3, the number of FOI's received in December was less than those received in October and November due to the Christmas break.

FOI's Responded to in Timescale by Directorate in Q3

Directorate	No. Sent Out in Timescale	%
BfC	24	64
DACHS	10	55.6
DEGNS	61	79.2
DoR	60	79
FOI Team	28	100
Total	183	77.2%

Breakdown by month for Q3

Directorate	FOI's received in Oct	% sent out in time in Oct	FOI's received in Nov	% sent out in time in Nov	FOI's received in Dec	% sent out in time in Dec
BfC	13	61.5	9	75.0	13	53.9
DACHS	6	66.7	6	83.3	6	16.7
DEGNS	29	89.7	34	67.7	21	57.1
DoR	22	72.7	30	66.7	20	75.0
FOI Team	12	100	13	100	3	100
Overall	82	81.4	92	74.5	63	61.0

- 3.7. In Q3 the Council and BfC responded to 237 FOI's and 183 (77.2%) of these were within timescale, this is an improvement from Q1 when 58.1% and quarter 2 (72.1%) were responded to in timescales.
- 3.8. Of the 237 FOI's responded to, 5 of these came back to the Council and BfC for Internal Reviews (IR). Of these 5 IR's, 3 were issued with revised responses and 2 were issued with the original information.
- 3.9. The FOI Act 2000 states all responses must be sent out within 20 working days. The Assistant Director of Legal Services and the Information Rights Services Manager (responsible for the Customer Relations & Information Governance Teams) met with

Information Commissioners Office (ICO) in February to discuss the Action Plan work undertaken and progress made since the last meeting with them to improve the response rates. The ICO agreed the Council was on the correct path and was satisfied that the Action Plan tasks were near completion. The data above has been shared with ICO and will continue to be shared with them until they are satisfied with the response rate.

- 3.10. The feedback from the sessions with DMT's, Service and Teams we reported in in the last report, and were categorised into three different themes, which are:
- System Related issues
 - Training
 - Notifications/Cross-team responding
- 3.11. The above findings were shared with the regular FOI responding officers (approximately 95 Officers), at a face-to-face training session at the end of January 2023. Officers also conducted an online session on 22 March 2023 (for those who could not attend the face to face to session). These sessions focused on addressing and supporting the officers with the common challenges they faced with regards to the themes noted above. The officers were given the opportunity to discuss any system related issues, and this followed a 30-minute presentation on the how to utilise the system. The session also included a briefing on the FOI Act and procedure as well as encouragement to teams to publish on the Council or BfC websites any data that is regularly requested. They were also advised on what to look for and seek advice on applying exemptions. Further support will be focussed on this key group by way of weekly drop-in sessions online for advice.
- 3.12. The Assistant Director of Legal Services and the Information Rights Services Manager met with the Project Team involved in the implantation of the Council's new CRM system. We have asked them to write a new FOI form to improve our process and simplify the FOI management workflow. We have started this work by process mapping our requirements at a session that took place on 28 March.

Data Transparency

- 3.13. The Data Transparency pages were reviewed on 17 March 2023 and the Contract and Procurement data remain out of date. This has been highlighted to the Assistant Director Procurement and Contracts. He met with the Information Rights Service Manager and agreed that the service will work on getting this information updated.

Information Governance Board

- 3.14. 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.
- 3.15. There has been one further incident since the last report to this committee where a Council supplier reported a cyber incident, and a limited amount of Council data was compromised. This has been reported to the ICO by the supplier and by the Council. The ICO has not commented on this matter to the Council. The previously reported cyber incident which impacted another one of the Council's software suppliers is being investigated by the ICO, we await their feedback.
- 3.16. The IG Board is in the process of commissioning a report to carry out a review of the Council and BfC's breach management process in respect of these two third party software cyber incidents. A brief for this review has been agreed by the Board. We expect this review to commence imminently. The review will cover mechanisms and processes in place for anticipating, reporting, managing, and learning from breaches by third parties. This will also cover the lessons to be learned when commissioning a service to ensure the governance around contracts, data handling and business continuity is sound.

- 3.17. The most common themes across both organisations continue to 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. The IG Team review each incident and identify learning for the staff/services involved to ensure repeat incidents do not reoccur. Online team/service training sessions have been completed with the Joint Legal Team and sessions are in the process of being planned with Children's Social Care staff.
- 3.18. At the Board's request the Information Governance Team and IT Security team have explored measures that 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 reviewed the two products that could address this issue however no decisions has yet been reached on the viability of purchasing one. The Board acknowledged 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.

Information Management Strategy

- 3.19. 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 IG Team met on 23 February to map out the work into short, medium and long-term tasks and plan communications with the Data Stewards.
- 3.20. The IG Service has identified the Information Assets Owners to be the Assistant Directors, who have been made aware of their responsibilities via presentations at SLG. Formal training with them is being planned. The Data Stewards have been identified for all of Directorates and the first meeting with the DS's in BFfC and DACHS took place on 24 March to agree the terms of reference and kick start the Action Plan work. The Action Plan work will be rolled out across BFfC and DACHS first.

Training

- 3.21. 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 uptake of the training has shown 82% of staff had completed the Cyber Security module and 80% of staff had completed the Information Governance as of 20 March 2023. The modules are either in full or the refresher. Revised refresher training modules will be rolled out to staff to complete between 1 April and 30 June 2023. Further messages about the compulsory nature of the training are planned. There will be further follow up with Services to ensure that the training takes place.
- 3.22. Non-IT users have also been asked to complete the paper-based training and this will be followed up in the new financial year to refresh the numbers of staff who have completed this training and those who are new to the organisation and should complete it.

Next Steps

- 3.23. The focus is the completion on the FOI Process mapping, continuing to support the organisation to respond to FOI's on time, meeting with the BFfC and DACHS Data Stewards to start work on the IG Action Plan, and roll out communications to encourage staff to complete the above training by the end of June 2023.

4. Contribution to strategic aims

- 4.1. 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".

5. Environmental and climate implications

- 5.1. The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).
- 5.2. There is nothing within this report which is of relevance for the Council's strategic priority of Climate Change.

6. Community engagement

- 6.1. 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.

7. Equality impact assessment

- 7.1. 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.

8. Other relevant considerations

- 8.1. Nothing relevant.

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. Timetable for implementation

- 11.1. Not applicable.

12. Background papers

- 12.1. There are none.