

<b>SUBJECT:</b>	<b>INFORMATION MANAGEMENT UPDATE</b>
<b>DIRECTORATE:</b>	<b>CHIEF EXECUTIVE AND TOWN CLERK</b>
<b>REPORT AUTHOR:</b>	<b>SALLY BROOKS, DATA PROTECTION OFFICER (DPO)</b>

## **1. Purpose of Report**

- 1.1. To update the committee on Information Management progress, specifically the recent internal audit outcomes. This includes monitoring of the council's compliance with data protection legislation including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

## **2. Background of Reporting and Audit Report**

- 2.1. Previous update reports were submitted to committee on a quarterly basis on the run up to the advent of GDPR in May 2018. Reports will now be submitted on a bi-annual basis given the work completed and GDPR compliance becoming business as usual for the council.
- 2.2. Audit completed a report on Information Management and GDPR in June 2019 and gave the council 'Substantial Assurance' for its Information Management and Information Governance arrangements.
- 2.3. The purpose and scope of the audit was to provide independent assurance on the work undertaken to implement the new legislation and the operation of the council's Information Management Framework. The audit looked at:-
  - Compliance with specific regulatory requirements
  - Identification and management of personal data,
  - Governance, policies & procedures, training, information sharing agreements, contracts, privacy notices, breach reporting mechanisms, Subject Access Requests, now referred to as Data Subject Requests.
  - Roles and responsibilities (officers and Members)
  - Monitoring and reporting
- 2.4. Good practice identified in the audit included:-
  - Keys roles in the Information Management Framework are being fulfilled.
  - The council has a full range of Information Management policies approved in 2018.

- The council's website contains comprehensive data protection and privacy notice information. City People (the council's intranet for staff and members) and Netconsent (policy presentation software) hold the policies (enabling them to be readily available) and there is internal communication when it is required.
- The data breach notification process works well. Data breaches do occur and all are investigated to determine the cause, contain the loss and identify improvements.
- Progress is monitored by the Information Governance Board and Audit Committee.

2.5. The audit made a number of recommendations for improvements still required. In summary the main recommendations currently outstanding include:-

- The IG/GDPR Action Plan to be replaced by an IG Risk Register. Alongside this the IG Strategy 2017/19 is to be reviewed and updated.
- Present a summary of the annual Information Asset Owner (managers/team leader) checklist issues to the IG Board and the SIRO.
- Highlight and communicate lack of uptake of Data Protection Impact Assessment (DPIA's) with IG Board. Relaunch with comms/ training and ensure that guidance is on Netconsent and City People
- Raise profile of Records Management work to be done and present options available to IG Board along with BDIT given overlap.

2.6 The above list of recommendations/actions required is not exhaustive for Information Management given continued monitoring of training, procedures, processes, guidance, policies, contracts, agreements and requests is required along with reactive work such as data breach management and queries due to the success of the awareness programme.

### **3. Contracts**

3.1 A further recommendation of the audit was to advise committee of the extent of the work still to do on GDPR and contracts. Also for the council to consider whether additional resource is required to enable the contracts work to be completed in a shorter period of time.

3.2 The contracts review project to ensure all contracts with the council's suppliers processing personal data on its behalf include the GDPR clauses has proven to be resource intensive. However many major contracts have now been covered off, as well as contracts where processors have contacted the council and all new/renewed contracts now include the clauses.

3.3 A comprehensive list of contracts has also been compiled and contract managers have been contacted to indicate where personal or sensitive data is being shared to prioritise contracts for amendment. A considerable amount of work has been completed to date to establish a comprehensive contracts register which has resulted in a significant number of contracts (100+) requiring review and negotiation to ensure GDPR compliance and using existing resources it will take over a year to complete the remaining work.

3.4 When committee last considered this issue earlier this year, further resources had been identified in CX Business Administration and Legal Services although this has been delayed due to staff identified having left the authority or moved job role. The IG Working Group are considering the issue as a priority on 9 October and if a solution is not identified, will put options to the IG Board for consideration.

#### **4. Annual Governance Statement (AGS)**

The AGS status for Information Governance was downgraded from Red to Amber due to progress made in the implementation of GDPR. IG has since been removed from the AGS although remains to be 'watching item' to be monitored by HPS group.

#### **5. Strategic Priorities**

##### **5.1 High Performing Services**

This work ensures that staff are high performing in their collection and processing of customer's data. It also assists to ensure that the council is trusted to deliver the services, and ensures compliance.

#### **6. Organisational Impacts**

##### **6.1 Finance (including whole life costs where applicable)**

There are no financial implications arising from this report as the resources will come from existing budgets.

##### **6.2 Legal Implications including Procurement Rules**

There are no legal implications arising out of this report.

##### **6.3 Equality, Diversity and Human Rights**

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

There is no impact arising from this report regarding these issues.

## **7. Recommendation**

7.1 To note the report and outcome of the audit.

**Is this a key decision?** No

**Do the exempt information categories apply?** No

**Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?** No

**How many appendices does the report contain?** None

**List of Background Papers:** None

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