

SUBJECT:	INFORMATION GOVERNANCE UPDATE
DIRECTORATE:	CHIEF EXECUTIVE AND TOWN CLERK
REPORT AUTHOR:	DATA PROTECTION OFFICER (DPO)

1. Purpose of report

- 1.1. To update committee on Information Governance management. This includes monitoring of the council's compliance with data protection legislation including the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA).

2. Background of reporting

- 2.1. Reports are submitted on a bi-annual basis the last report being provided to committee in March 2022.

3. Information governance risk register

- 3.1 Attached at Appendix A (Part B) is the updated Information Governance risk register. The following risks are highlighted for comment:

4 Training

- 4.1 Data protection training is a legal requirement. The Information Commissioner's Office (UK regulator) recommends it is renewed every 2 years and preferably annually for an organisation such as the council. The council have agreed to renew training annually for all staff/members and to provide training for all staff/members on induction.
- 4.2 The council deploy training provided by an external provider. The training is accredited by the National Cyber Security Centre (NCSC) and covers both data protection and cyber security training. The need for cyber security training is essential particularly given the increase in staff working remotely and cyber activity due to global events.
- 4.3 The training includes a higher-level training package for Information Asset Owners (IAO's) 'Data Confident' and a bespoke training package for members, 'Cyber Ninja's for councillors' (CN4C) which reinforces members hold individual responsibility for data protection as 'controllers' when processing constituents' personal data.
- 4.4 As at the end of September 2022 the training completion levels are around 89%.
- 4.5 100% completion of the training is not achievable as the staff list is constantly changing and as staff leave and new join the percentage rate will go down until the training is completed. Staff without network access who do not normally

process personal data as part of their role, complete a low-risk form detailing the principles of data protection.

- 4.6 The council have updated Cyber Ninja's training for 2022 which is now live and available to new starters and a Refresher course, as a follow up for all those who have completed Cyber Ninja's previously, will be issued by the end of the year.
- 4.7 IAO's complete an annual 'IAO Checklist'. The checklist requires them to assess their information assets by reviewing the corporate Information Asset Register, Information Sharing Agreements, Privacy notices and Contracts are compliant and personal data is being disposed of in accordance with Retention & Disposal schedules.
- 4.8 Checklists have been submitted for this year and no major issues were reported by IAO's with compliance. The DPO met with IAO's when requested to go through this assessment process and IAO's new to the role.

5. Policies and Data Protection Reform

- 5.1 Data Protection Reform is currently being considered by Parliament in the Data Protection and Digital Information Bill. The Bill proposes amendments to the Data Protection Act 2018, UK GDPR and the Privacy and Electronic Communications Act.
- 5.2 There is a Briefing note regarding the Bill at **Appendix B** which sets out the proposed changes which would impact the council.
- 5.3 The council's Information Governance policies are due for renewal in January 2023 and relevant policies/procedures will need to be updated when the Bill becomes Law.

6. Management of documents in Microsoft Office 365

- 6.1 Full use of the Microsoft Office 365 suite including Microsoft Teams and SharePoint is almost completely rolled out across the council.
- 6.2 Proposals for management of documents including retention in Microsoft Teams have been approved. It is essential that retention & disposal is implemented from the outset and that existing data held in electronic drives is cleansed and deleted where possible before any data is migrated over. This will ensure the council does not retain personal data longer than necessary and is key to business efficiency/transformation of the council.
- 6.3 Suppliers have been instructed to assist the council with data migration and retention policies and have recently provided a proposed plan for implementation.

7. Annual Governance Statement (AGS)

- 7.1 The AGS status for Information Governance was downgraded from Red to Amber due to progress made in the implementation of the GDPR. IG has since been removed from the AGS although remains closely monitored with reports

being submitted biannually to IG Board (CLT), and Audit Committee as well as CMT as and when required

8. Strategic Priorities

- 8.1 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.

9. Organisational Impacts

- 9.1 Finance (including whole life costs where applicable)

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

- 9.2 Legal Implications including Procurement Rules

There are no legal implications arising out of this report.

- 9.3 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.

10. Risk Implications

- 10.1 The council must comply with data protection legislation. Non-compliance may result in enforced external audits, enforcement notices, monetary fines, criminal prosecutions of individual's, compensation claims and loss of public/partner trust.

11. Recommendation

- 11.1 To note the content of the report and provide any comment.

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? 2

List of Background Papers: None

Lead Officer: Data Protection Officer,
Sally Brooks