Wiltshire Council

Audit Committee

26th July 2017

Information Governance

Executive summary

The purpose of this report is to update the Audit Committee on progress with the information governance improvement programme.

The programme continues to address the findings identified by the Information Commissioner's Office (ICO), with key actions already having been delivered and a 2-year programme in place, identifying timescales for further improvements, which are beyond the scope of the ICO audit and will seek to provide the organisation with a robust framework for even better compliance with statutory Governance requirements.

Proposal

That the Committee notes:

a) the significant steps that have been taken to address and rectify the findings identified by the Information Commissioner's Office (ICO) and the audit engagement with them is now complete.

b) the continued progress to address the actions identified in the two year improvement programme, which goes beyond the ICO requirements to fully instil a new information governance culture and practices across the organisation, whilst ensuring compliance with statutory legislation.

Reason for proposal

Report provided for information only.

Dr. Carlton Brand, Corporate Director
Wiltshire Council

Information Governance

Purpose of report

1.   To inform the Audit Committee of the progress of the improvement programme that has been set up to address the findings identified by the ICO.

Background

2.   An information governance improvement programme has been developed to address the recommendations in the ICO's report and is based on the NHS and Local Authority Information Governance Toolkit (version 13), which is recognised as providing a comprehensive set of standards for information governance and meets with the approval of the ICO.

3.   The ICO provided some constructive feedback on the action plan in April 2016 and advised that the audit engagement is now complete. It is acknowledged that whilst some of the timescales have moved from the original plan, the ICO Board felt it is important that the organisation does not have a rapid, quick fix approach to put things right; but that there is the creation of a much more sustainable framework and strategy for Information Governance across the Council.

4.   Information Governance was and is specifically included in reports of the 27th October 2015, 26th January 2016, 27th July 2016, 26th October 2016 and 24th January 2017.

Main Considerations for the Committee

ICO Recommendations update

5.   Substantial progress is being made in the areas for improvement identified in the ICO's report. The current position is as follows:

Scope area	Number of recommendations in each scope area from the original audit report	Number of actions complete, partially complete and not implemented. Last report Jan 17	Number of actions complete, partially complete and not implemented. Current Status
Records Management	31	20 Completed 11 in progress	30 Completed 1 in progress
Subject Access Requests	27	16 Completed 11 in progress	27 Completed
Data Sharing	16	8 Completed 8 in progress	12 Completed 4 in progress
TOTAL **TOTAL COMPLETE** **TOTAL IN PROGRESS**	**74** **69 (93**%) **5 (7%)**		

6. The Information Governance Assurance Steering Group will continue to monitor Information Governance Risk for the Council, reporting into the Information Governance Programme Board. All IG risks are updated on a quarterly basis as part of the Corporate Performance and Risk report into Cabinet.

Data Protection

7. New European regulations, the General Data Protection Regulation (GDPR) have been passed into law for all member states. These will come into effect on 25th May 2018.

8. The Council must have achieved compliance by this date. Failure to do may lead to significant enforcement action being issued by the Information Commissioner's Office and could involve a significant fine of up to 20 million Euros or 4% of turnover. Much of the change improves upon current requirements, but there are a number of important elements which will impact across all services within the Council. Key elements that have all been modified and will be embedded in processes by May next year include:

   • information required to be given to data subjects when collecting data from them,
   • the legal basis for processing, data subjects' rights, the timeframe for responding to subject access requests

9. A project to implement the new regulations across the Council has been formed and will meet monthly until summer next year, to ensure the Council is GDPR ready. It will report to the IG Board, with updates to other committees as required. A project team has been identified to represent key services where the impact will be greatest, and a communications strategy will lead to regular information releases to inform staff of the changes.

Freedom of Information

10. Following the introduction of updated practices and procedures, the processing of requests for information has improved to the point where we can now focus on the information we place into the public domain.

11. All local authorities are obliged to proactively publish information for public consumption. The purpose of making information available is not only to improve openness and transparency, but also to reduce the number of requests for information the authority must process, consequentially reducing pressure on resources.

12. A gap analysis is ongoing to identify what is currently published to meet our responsibilities under the Freedom of Information Act, the Environmental Information Regulations and the Local Government Transparency Code.

13. Initial discussions have taken place with ICT and the Web Team to produce a single page on our public facing website, which will contain a list of all the categories of information we are obliged to publish, together with hyperlinks to each page on the website where the information is held. Service areas will be

responsible for placing the information on the appropriate pages to an agreed timetable with the FoI Lead monitoring the publication frequency.

14. Work is also underway with data.gov.uk, the governments searchable website, to publish datasets and implement the automatic updating of those datasets from our website using harvesting tools.

Records Management

15. The project to remove paper storage from sites across the County, is now complete. Completion was due by the end of March and was Finished early, by 6th March.

16. The IM Connect portal for services to retrieve and return files is up and running, being well utilised by staff. This is now the principle way for managing paper records. We continue to work with Iron Mountain to ensure the file catalogue is complete to ensure services understand what is held and how they can access it.

17. A review of the Council's retention schedule continues. The schedule contains the Council's policy for how long it keeps various types of record and what it does with them once that period of retention has expired. The exiting schedule is incomplete and not particularly user friendly. The IG team have now contacted all services to review their parts of the retention schedule. A new version will be available by the end of June and will be a living document which teams will have access to update when needed. The IG team will continue to monitor this to ensure that teams maintain and dispose of records in line with a single and consistent policy.

Information Asset Register

18. A composite Information Asset Register to record all the Council's information assets has been designed, successfully piloted and was rolled out across the organisation at the beginning of October, for completion by the Information Asset Owners (Heads of Service) by the first week of December 2016. This was Phase 1.

19. Phase 1 responses have been reviewed and assessed and Phase 2 has now been launched. This will enable the extraction of more detail and enable better clarification from services to ensure the organisation can understand and manage its assets and the risks associated with them. This will ensure better protection of information held and ensure that the information we do hold is current and relevant and contributes to the business of the Council, rather than being historic information that is no longer fit for purpose.

20. The response rate from Heads of Service for this phase currently stands at 80%. There has been some significant restructuring in certain service areas and this is where the focus has been. The IG team has worked with these services to ensure that support was given to encourage completion as soon as possible and for the majority of services this has been achieved. The IG Programme Board is overseeing the progress of this work.

PSN

21.   In order for the Council to exchange data securely with central government and other public sector partners, it is necessary for it to be part of and therefore compliant with the Public Services Network requirements for information security. Compliance and approval are subject to annual review, which includes penetration testing, both on the IT system itself and physical entry into buildings.

22.   The most recent review identified several areas of improvement, for both the physical and technological elements. These issues have been ranked from critical to low. Progress has been significant since last year.

        Main Outstanding Issues

        A PSN compliance certificate was granted on 24th May. The certificate is conditional on completion of actions in two areas:

        1. Remediation of 1 critical and 3 high risks identified as part of the penetration testing. These were completed by the end of June.
        2. Remediation of a critical risk relating to a complex upgrade of a major application. This will be completed by the end of August.

        Completion of these action will ensure that the Council retains its PSN certificate.

SharePoint

23.   Together with IT and the Programme Office, IG are currently developing a team site on SharePoint which is hoped will provide a template for team sites across the organisation. The project has fallen into two distinct phases. The first phase is focusing on developing the look and functionality of a team site. Exploring what the site needs to do for each team, the visual look and feel of the site to ensure staff engagement and considering how information can be managed and stored.

24.   Progress on developing the team site remains steady. In order to transfer content to the new sites, a migration tool is required, which needs to work for both the Council and the Police. This is currently being considered by ICT.

25.   The second issue is around information security of material on SharePoint and permissions to SharePoint sites, which must be managed via active directory and it is anticipated that this work will commence in September/October 2017.

Communications and Training Programme

26.   A Communication/Awareness plan document together with an Information Governance Training strategy was approved by the IG Board in March and May. It is important to note that the continued success of the improvement

programme remains reliant on culture change and embedding the importance of information governance across the organisation. Both these plans aim to steer that change forward and endeavour to ensure that Information Governance remains the change agenda for services across the Council.

28. The IG team continue to deliver bespoke training to relevant service areas and will continue to promote and provide professional support and guidance across the organisation.

29. Work is also being undertaken to look at requirements to train staff within the organisation, through an eLearning package. HR & OD are currently undertaking a procurement process for e-learning, which includes Information Governance modules.

30. A monthly IG Newsletter is published via the Electric Wire, which commenced at the end of June and provides information, advice and support to the organisation around Information Governance.

31. A IG workspace via GROW is currently being developed. This will be an information hub that people can access for further advice and guidance.

Environmental Impact

32. There are no environmental impact implications.

Procurement Implications

33. Procurement guidance has been updated to support proposed changes to the Council's Procurement Rules, which include requirements for data sharing and information security. The guidance will cover the Council's obligations in respect of information governance and seeks to ensure engagement of Information Security at the point of initiation to provide the relevant safeguards for new specifications.

Equality and Diversity Impact

34. There are no equality and diversity impact implications.

Risk Assessment

35. Failure to implement improvement actions will increase the risk of non-compliance with information legislation resulting in reputational harm, litigation, fines and costs.

Financial Implications

36. Work is being undertaken to ensure the budgetary transfers required from across the Authority which will cover the cost of the records contract with Iron Mountain.

Legal Implications

37.   The measures that are being taken under the Improvement Programme will ensure that the Council meets its obligations under information legislation.

Conclusion

38.   Significant steps continue to be taken and actioned to address and rectify the findings identified by the Information Commissioner's Office, with 93% of all actions having been completed

39.   The IG team continues to drive both the ICO requirements and meet the demands of complying with statutory legislation to encourage a new information governance culture across the organisation.

40.   A further 12 month IG programme plan for continuing improvements outside of the ICO requirements is being developed.

41.   It remains key to the continuing success of the IG programme to raise the profile of IG across the organisation and to encourage both staff and managers to engage with and take responsibility for managing their information.

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