Wiltshire Council

Audit Committee

27 October 2015

Information Governance

Executive summary

The purpose of this report is to update the Audit Committee on the action that has been taken following the recent voluntary audit by the Information Commissioner's Office (ICO)on the Council's information governance arrangements in the areas of records management, subject access requests and data sharing.

The overall conclusion of the audit was that there is a limited level of assurance that processes and procedures are in place and delivering data protection compliance and that there is considerable scope for improvement in existing arrangements to reduce the risk of non-compliance with the Data Protection Act.

An improvement programme has been developed to address the findings identified by the ICO and is underway with key actions expected to deliver within the 12 month reporting period. Progress will be reported to the ICO in November 2015 and May 2016.

The programme will also develop action plans beyond the scope of the ICO audit to further improve the council's information governance. Once improvement measures are in place their continued management will be through the Information Governance Team and the Information Governance Assurance Group.

Proposal

That the Committee:

a) Notes the outcome of the ICO's audit.

b) Notes the progress of the improvement programme that has been set up to address the findings identified by the ICO.

Reason for proposal

To update the Audit Committee on progress in respect of the Information Governance Improvement Programme

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Information Governance

Purpose of report

1. To update the Audit Committee on the improvement programme which has been developed to address the findings identified by the voluntary audit undertaken by the Information Commissioner's Office (ICO)in March 2015 on the Council's information governance arrangements in the areas of records management, subject access requests and data sharing.

Background

2. Following three serious personal data breaches, which were notified to the ICO in 2013 and 2014, the Council's Senior Information Risk Owner (SIRO), Carlton Brand, Corporate Director, invited the Information Commissioner's Office to conduct a review of the Council's arrangement for the processing of personal data. The review was conducted in March 2015 and the summary attached at Appendix 1 was published by the ICO on 21 May 2015.

3. The audit focused on the following areas:

Records management	The processes in place for managing both manual and electronic records containing personal data.
Subject access requests	The procedures in operation for recognising and responding to individuals' requests for access to their personal data.
Data sharing -	The design and operation of controls to ensure the sharing of personal data complies with data protection legislation and good practice.

4. The overall conclusion was that there is a limited level of assurance that processes and procedures are in place and delivering data protection compliance and that there is considerable scope for improvement in existing arrangements to reduce the risk of non- compliance with the Data Protection Act. A copy of the full report issued by the ICO is available to members of the Committee under Part 2 of the Agenda.

5. A number of areas of good practice were found, and these are listed at section 4 of the ICO's report.

6. Areas for improvement relate to:

    a. Physical records storage.
    b. Protecting data in shared spaces.

c. Using privacy impact assessments as a standard procedure.
d. The need to adopt standard procedures for subject access requests.
e. The need for a corporate information sharing policy

7. It is recognised that there is an opportunity to improve information governance arrangements beyond the scope of the audit report.

8. An Information Governance Board has been established, chaired by the SIRO and supported by the Programme Office to oversee the Improvement Programme and subsequently on the wider scope of information governance improvements across the organisation.

9. The Council has been in contact with the ICO to update them on the implementation of their recommendations and will report formally to the ICO on progress in November 2015 and May 2016.

Main considerations for the Committee

10. Progress on actions in the ICO audit in relation to the areas a. to e. above:

   a. Physical records storage was a significant concern to the ICO. Actions completed to date include the purging of records held in Chapmans building, Trowbridge, the removal of records that need to be retained to Devizes and the cataloguing of all boxes of records into a database. This database ensures the cataloguing, locating and retrieval of records in line with our Salisbury records store which was assessed by the ICO as being an appropriate standard. *(Delivery: completed.)*

   b.-e. These areas all relate to policy and procedure. The action plan includes the following steps:

      i. Re-scoping of the Information Governance Assurance Group (IGAG) to ensure robust and effective monitoring and governance going forward.

      (Delivery: Completed. IGAG to meet November 2015.)

      ii. Drawing-up a comprehensive suite of information governance policies to be ratified by the Information Governance Assurance Group.

      (Delivery: November 2015.)

      iii. Restructuring of the information governance function to sit within the Corporate Function, Procurement and Programme Office to develop and implement the information governance framework.

      (Delivery: underway, to be completed February 2016.)

      iv. Embedding of clear accountabilities for information governance (IG) at all levels within the organisation through a comprehensive

communications and training programme.

(Delivery: development underway. Training to be delivered January to April 2016.)

11. Regarding the wider scope of IG improvements across the organisation, the IG Programme will develop thematic action plans in line with the NHS Information Governance Toolkit (an online system which allows organisations to assess themselves or be assessed against IG policies and standards).

12. In 2012, SharePoint was identified as a repository for digital records to replace business shared drives as well as personal drives. The IG Programme will conduct a review of SharePoint to ensure its continued relevance and compliance with IG principles prior to rollout across the organisation.

(Delivery: Review – Feb 2016).

Environmental impact of the proposal

13. There are no environmental impact implications.

Procurement implications

14. The Improvement Programme will include a review of the Council's standard contract provisions relating to information management and processing to ensure that these are robust and remain fit for purpose.

Equality and diversity impact of the proposal

15. There are no equality and diversity implications.

Risk assessment

16. 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

17. A budget of £50k has been agreed to support the implementation of improvements.

Legal implications

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

Conclusion

19. The Council has been found to have a limited level of assurance that processes and procedures are in place and delivering data protection compliance.

20. An improvement programme has been developed to address the findings identified by the ICO and is underway. The programme will report progress to the ICO in November 2015 and May 2016.

21. The programme will develop action plans beyond the scope of the ICO audit to further improve the council's information governance. Once improvement measures are in place their continued management will be through the Information Governance Team and the Information Governance Assurance Group.

Appendices

The Information Commissioner's Office Data Protection Audit Report Executive Summary for Wiltshire Council, published 21 May 2015

A copy of the full report is included under Part 2 of the Agenda.