



Selby District Council

Information Governance Progress Report October 2020

Information Governance Manager:
Head of Internal Audit:
Date:

Rebecca Bradley
Max Thomas
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PURPOSE OF THE REPORT

- 1 To provide an update on Information Governance matters and developments in the Council's Information Governance arrangements and compliance with relevant legislation.
- 2 Information governance is the framework established for managing, recording, protecting, using and sharing information assets in order to support the efficient and effective delivery of services. The framework includes management structures, policies and processes, technical measures and action plans. It helps to ensure information is handled securely and correctly, and provides assurance to the public, partners and other stakeholders that the Council is complying with all statutory, regulatory and best practice requirements. Information is a key asset for the Council along with money, property and human resources, and must therefore be protected accordingly. Information governance is however the responsibility of all employees.
- 3 The Council must comply with relevant legislation, including:
 - The Data Protection Act 2018
 - The General Data Protection Regulation (GDPR)
 - Freedom of Information Act 2000
 - Environmental Information Regulations 2004
 - Regulation of Investigatory Powers Act 2000
- 4 In March 2018, the Council appointed Veritau to be its statutory Data Protection Officer (DPO).
- 5 The Corporate Information Governance Group (CIGG) is responsible for overseeing information governance within the council. The group is chaired by the Head of Business Development and Improvement and provides overall direction and guidance on all information governance matters. CIGG also helps to support the Council's Senior Information Risk Owner (SIRO) to discharge her responsibilities. CIGG is currently coordinating the delivery of the GDPR action plan, which includes reviewing and updating the council's information governance strategy and policy framework. Due to Coronavirus (Covid-19) CIGG's first virtual meeting this year was in July.

GDPR ACTION PLAN UPDATE

- 6 A new action plan has been provided to the Council with a thorough breakdown of actions to achieve our deliverables.
- 7 A review of the council's privacy notices has been completed and gaps identified. These will be amended in conjunction with the review of the Information Asset register.
- 8 Work will begin to review and update the information governance policy framework. It is anticipated that initial review will be completed by the end of Q3, with amendments completed in Q4.

- 9 A Special Category Policy, required to satisfy Schedule 1, Part 4 of the Data Protection Act 2018 is in the final draft phase. This document lists the types of special category information the council processes and their lawful basis to do so. This will be presented at the next CIGG meeting for review.
- 10 The Information Asset Register has been amended to reflect GDPR compliance needs. Work is ongoing to ensure the register is correct and up to date. Veritau is working with the relevant service teams to complete this work. Major outstanding areas include Legal, HR, Housing and Environmental Health. Some areas require small amendments. This has been escalated with the SIRO and new deadline dates were set in CIGG.
- 11 A gap analysis of the Council's Information Sharing Agreements (ISA) has been completed with areas of concern identified. Veritau will contact the service managers, querying these and confirming if an ISA is held and where. If no ISA is held, or cannot be found, then this will become a priority action to have this in place. This will at first be applied to the completed service areas on the IAR and then applied to the rest once they are completed.

CORONAVIRUS (COVID-19)

- 12 A new privacy notice for Council employees was written and published in response to Coronavirus (Covid-19).
- 13 The Council worked with other members of the North Yorkshire Information Sharing Protocol to put in place an overall ISA for Covid-19 related sharing. Sharing has therefore been taking place in accordance with this agreement.
- 14 A range of guidance documents were provided to advise staff on secure home working, sharing employee personal data and the Council's obligations around statutory requests.
- 15 Advice was given in relation to the Council holding remote Council meetings.

TRAINING

- 16 Veritau delivered one training session on Data Protection Rights and Principles in November 2019 which 21 staff attended. A second session was planned for early 2020. However due to a low number of attendees, and after consultation with the SIRO, the decision was taken to cancel this. This will be planned for further in the year.
- 17 The Records Management training sessions will be taking place and it has been accepted that adjustments may need to be made due to the move to using Office 365.
- 18 It was agreed at CIGG that further training sessions will be held online and in smaller sessions, which will be introduced in 2020.

INFORMATION SECURITY INCIDENTS (DATA BREACHES)

- 19 Information Security Incidents have been reported to Veritau as required. The incidents are assessed, given a RAG rating and then investigated as required. Green incidents are unlikely to result in harm but indicate a breach of procedure or policy; Amber incidents represent actual disclosure, but harm is unlikely to be serious; and Red incidents are sufficiently serious to be considered for self-reporting to the ICO. Some incidents are categorised as 'white'. White incidents are where there has been a failure of security safeguards but no breach of confidentiality, integrity, or availability has actually taken place (i.e. the incident was a near miss).
- 20 The number of Security Incidents reported to the Council and Veritau in 2020-21 are as follows:

Year	Quarter	Red	Amber	Green	White	Total
2019/20	Q1	0	2	2	1	5
	Q2	0	1	0	2	3
	Q3	0	0	0	0	0
	Q4	0	0	0	0	0
	Total	0	3	2	3	8

SUBJECT ACCESS REQUESTS – INTERNAL REVIEWS

- 21 Veritau do not process Subject Access Requests for Selby however we do advise on Internal Reviews when appropriate.

DATA PROTECTION IMPACT ASSESSMENTS

- 22 High Street Heritage Action Zone Project Newsletters

Veritau are supporting the service area with the launch of a newsletter to promote events related to the Heritage project. Guidance has been given for a DPIA and a first draft has been completed and returned to Veritau for checking. A draft privacy notice is prepared, ready for when a processor is chosen and the IAR will also be updated to reflect this.

- 23 MyView

In 2019, the council implemented MyView. However a DPIA was not done before implementation. This has been ongoing and a first draft of the DPIA for has been received in September, with comments returned.

- 24 Biometric for Laptops DPIA

Veritau is supporting the service area in the DPIA for the use of employee biometric data for the use of fingerprint unlocking on work laptops, phones and other equipment where this can be enabled.

25 Canvass Reform

The service area are currently writing the DPIA for the changes to how information is collected as part of the Canvass Reform as set out in new legislation by the Cabinet Office.

SURVEILLANCE

26 Veritau have had a number of meetings with Angela Crossland and others to move the surveillance work forward. The Surveillance log has been circulated and a gap analysis will be completed. Actions will be set to prioritise which DPIA's and ISAs need to be in place. Progress will continue to be reported to CIGG.

27 Draft policy documents and privacy notices are completed and are now subject to comments, with amendments taking place in due course. Work is ongoing to review the current RIPA (Regulation of Investigatory Powers Act) Policy. Veritau will provide advice and assist the council in ensuring that it is incorporated into the new suite of surveillance documents.

28 The Council have received a letter from the Surveillance Camera Commissioner, dated 20 December 2019. In April 2020, the council received the further letter with the questionnaire. Veritau supported the Council to collate the relevant information and return it to the Commissioner. Due to the impact of Coronavirus (Covid -19), an extension of a week was granted and the Council met the deadline for the return.

LAW ENFORCEMENT

29 An initial scoping exercise has taken place to ascertain which areas of the council may need to be considered as undertaking law enforcement processing, which is governed by Part 3 of the Data Protection Act 2018. An initial meeting took place between Veritau and Legal to discuss some of the finer details. Legal have been tasked with providing Veritau a complete list of all areas which undertake any type of 'criminal offence' activity such as planning offences.

30 Privacy notices have been reviewed with law enforcement in mind. It has been agreed that any changes to the notices will occur at the same time as any identified updates as per paragraph 7 above.

31 A draft policy document around law enforcement processing, which is a legal requirement, has been completed. This will now be reviewed with a view of publishing along with the new special category policy.