

INFORMATION GOVERNANCE PROGRESS REPORT

Date: 27 April 2022

ANNEX 3



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 UK General Data Protection Regulation (UK 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 Chief Finance Officer 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 their responsibilities. CIGG oversees coordination and delivery of the Council's UK GDPR action plan.

UK GDPR ACTION PLAN UPDATE

- 6 The action plan has continued to be updated as work has been completed. Actions have been amended in consultation with officers, particularly about due dates and action owners. In light of local government reorganisation (LGR) some actions have been consolidated or changed. Progress on the action plan continues to be reported to CIGG.
- 7 Work on updating the information asset register continued throughout 2021/22 and an updated version was presented to CIGG members on 31 March 2022 after consultation with services across the Council. With the exception of three areas the register is complete and now reflects UK GDPR compliance requirements. Work is ongoing to finalise registers for housing

services, property services and environmental health. The updated register includes an assessment in respect of information processed outside of the UK. CIGG has agreed to undertake a review of the register in six months, in consultation with the other North Yorkshire councils. This will consider alignment and consistency of information across the councils, in advance of LGR.

- 8 A number of new policies were approved at CIGG on 10 March 2022. These have subsequently been published on the Council's Intranet. This concludes the review of the Information Governance Policy Framework. The policies approved were:
- Information Governance and Strategy Policy
 - Personal Privacy Policy
 - Information Access and Information Rights Policy
 - Information Security Incidents Reporting Policy
- 9 A review of the Council's privacy notices is ongoing, following a gap analysis undertaken in 2021. Veritau are working with officers to ensure all necessary privacy notices are completed and published on the Council's internet. As with the information asset register, this work will be aligned with similar privacy notice exercises being undertaken by the other North Yorkshire councils as part of LGR.
- 10 Discussions are also taking place to align the ongoing review of data processing contracts with the LGR work stream looking at procurement and contracts, to ensure consistency across the North Yorkshire councils. CIGG has agreed that the review of contracts and information sharing agreements will continue; but that priority will be given to contracts, as these have a higher risk to the Council in respect of compliance to UK GDPR.

TRAINING

- 11 A training session on FOI/EIR and subject access requests was undertaken for service managers in January 2022. This was followed by two online workshops about data protection impact assessments (DPIAs) in February 2022.
- 12 CIGG have agreed the focus for training for next year will be to ensure all staff have completed data protection training. This includes new starters, temporary and agency staff, as part of their induction. Further bespoke training will be offered through Veritau during 2022/23 and will include law enforcement data processing and information incident management (data breaches).

INFORMATION SECURITY INCIDENTS (DATA BREACHES)

- 13 The arrangements for rating information security incidents was updated during 2021/22 following approval by CIGG. The previous RAG system has been replaced by a five level system with risks ranging from very low to very high. The rating is assigned based on a risk score assigned as part of the data breach investigation. Risks classed as high or very high are sufficiently serious to be considered for self-reporting to the Information Commissioner's Office (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).
- 14 The number of security incidents reported in 2021/22 under the new system are as follows (quarter 1 incidents rated under the old system are shown as high for red and low for green).

	Very High	High	Moderate	Low	Very Low	White	Total
Q1		1		4		1	6
Q2				1	1	1	3
Q3							0
Q4				1		1	2
Total	0	1	0	6	1	3	11

- 15 There has been a reduction in the number of Security Incidents reported in 2021/22 from the 18 reported in 2020/21.

SUBJECT ACCESS REQUESTS

- 16 As part of a revised agreement, Veritau took over the responsibility for processing Council data protection subject access requests (DPSARs) from 1 February 2022. Up to the end of March 2022 three DPSARs have been completed, and three are currently being processed.

FREEDOM OF INFORMATION (FOI) REQUESTS

- 17 Veritau has also started to provide an advisory service for complex FOI requests received by the Council, from 1 February 2022. Up to the end of March advice has been provided on four FOI requests.

DATA PROTECTION IMPACT ASSESSMENTS (DPIAs)

- 18 Work is ongoing on a number of DPIAs previously reported. These include MyView, CCTV for Selby town centre, and ONS data sharing.

- 19 Veritau is also supporting development of a DPIA for Breathing Spaces. This is a scheme administered by Wakefield Metropolitan District Council on behalf of Selby. It offers interest free secured loans to pay for an individual's mortgage arrears and support for up to 12 months of mortgage payments. A first draft of the DPIA for the scheme has been completed. We are awaiting comments and feedback from housing services.

SURVEILLANCE

- 20 As reported in the last progress report, the majority of actions to update Council policy and procedures in relation to RIPA (the Regulation of Investigatory Powers Act) have been completed. Legal Services are working on options for a training programme for staff.

LAW ENFORCEMENT

- 21 The Council's information assets have been reviewed for law enforcement processing activity, as part of the update of the information asset register and review of privacy notices noted above. Training on law enforcement data processing will be offered to staff during 2022/23.

TECHNOLOGY

- 22 Work required to ensure all IT software and hardware is compliant with UK GDPR and the Data Protection Act 2018 is progressing as part of the Council's upgrade to Office365.