

AUDIT AND GOVERNANCE COMMITTEE



Report subject	Information Governance Update
Meeting date	22 April 2021
Status	Public Report
Executive summary	First BCP Council IG update report to Committee, providing performance management information since the inception of BCP Council and outlining current position of the IG Team and Council's IG function.
Recommendations	<p>It is RECOMMENDED that:</p> <ul style="list-style-type: none"> (a) Committee note the Information Governance (IG) performance management information (PMI) for 2019/20 and 2020/21 (to Q3 – December 2020) contained in this report. This includes requests received under the Freedom of Information Act 2000 (FOIA), Environmental Information Regulations (EIRs), Data Protection Act 2018 (DPA) and other agency disclosure requests. (b) Committee note the current composition and position of the IG Team. (c) Committee note IG developments effected and/or in progress, following Annual Governance Statement (AGS) report to January 2020 A&G Committee and the Internal Audit report of July 2020. (d) Committee note changes effected to the delivery of IG training.
Reason for recommendations	This is the first IG update report to A&G Committee since the creation of BCP Council in April 2019. Its purpose is to provide an overview to the Committee of the IG function within the Council.

Portfolio Holder(s):	Councillor Drew Mellor
Corporate Director	Susan Zeiss, Service Director, Law & Governance
Report Authors	Vivien Bateman, Head of Information Governance.
Wards	Council-wide
Classification	For update and information.

Background

1. This is the first IG update report submitted to BCP Council. An IG update report was submitted to Bournemouth Borough Council (BBC) A&G Committee on 16 January 2019, which included reference to shared service provision (Borough of Poole and BBC), local government reorganisation (LGR) and implementation of the General Data Protection Regulations (GDPR)/Data Protection Act (DPA) 2018.
2. Since the report was submitted the following has been implemented:
 - a. BCP IG Accountability and Policy Framework - the policy and accountability framework cover all aspects of information governance, including compliance, information security and information records management.
 - b. The framework was promoted through IG face-to-face training to March 2020. Training provision since March 2020 has been delivered through the Council's i-learning programme.
 - c. Single point of entry into the organisation for requests for information (RFIs) under the Freedom of Information Act (FOIA), the Environmental Information Regulations (EIRs) and the Data Protection Act (DPA), via Customer Services.
 - d. BCP Information Governance Board (IGB), with updated membership and Terms of Reference (Appendix A). The first BCP IGB meeting was held on 27 February 2020.

Performance Management Information (PMI)

3. Appendices 1-7 provide performance management information for the period April 2019-March 2020 (Q1-4) and April 2020-December 2020 (Q1-3).
4. The appendices include commentary and are self-explanatory.
5. The target response rate set by the Information Commissioner's Office (ICO) for requests for information under the FOIA/EIRs is 90%. The Council's response rate does not currently meet this target.
6. The ICO has taken a reasonable approach during the pandemic, recognising the pressures on public sector bodies and delays in responding to requests has not resulted in any enforcement action to date.

7. In addition to COVID, the restructuring of service delivery areas following LGR had a significant impact on the Information Asset Advisor (IAA) framework, which is ongoing in the light of the Transformation Programme/Smarter Structures.
8. The position currently remains stable and should start to show signs of improvement during 2021/22 as COVID demands reduce and the Transformation Programme/Smarter Structures moves forward.

The Information Governance Team

9. The Team currently comprises:
 - a. Head of Information Governance & DPO (0.80 fte)
 - b. Principal IG Officer; post vacant from 12/3/20 (1.0 fte)
 - c. Information Governance Officers x3 (2.50 fte)
 - d. Agency staff; at IG officer level (0.80 – 1.0 fte)
10. A full time IG business/administrative officer post was deleted from the IG Team establishment in December 2019 to contribute to savings within the L&G Service Unit. A full-time IG Officer post is also now part time (reduction from 37 to 30 hours per week, effective from August 2020).
11. Since the last report to A&G the Team has been impacted by the Principal Officer post vacancy from 12 March 2020, together with long term sickness and maternity absences, covering the period December 2019 – August 2020.
12. The Transformation Programme and Smarter Structures implementation will determine the future delivery of the IG Team/function and options are currently under consideration in line with the proposed operating model.
13. The Team has been working successfully from home since the first lockdown in March 2020.
14. The Team has continued to deliver key IG services for which it is responsible during an exceptional period of change and despite the impact of COVID on the Council's service delivery.

IG Developments

15. In line with the IG section of the AGS report submitted to A&G Committee in January 2020 and the Internal Audit report of July 2020, the following developments have been implemented or are in progress:
 - a. Compliance self-assessment checklist(s) developed. The checklist(s) are based on ICO guidance and will be available as an online tool for completion by Service Units. Test system is in place and will shortly be made accessible to Service Unit Information Asset Advisors. Consultation with IGB and IAAs has been undertaken throughout the development of the checklist(s). It is anticipated the checklists will be in use by June 2021.
 - b. The self-assessment compliance checklist(s) will form part of an online dashboard, which will include IG performance management information for Service Units. The PMI will comprise data reported quarterly to IGB and annually to A&G Committee.
 - c. Microsoft Teams "channels" have been established for IGB and Information Asset Advisors (IAAs). The IAA channel is proving to be beneficial as a mutual support facility for the IAA Network.

- d. BCP Corporate Retention & Disposal Schedule Guide in development, which will assist Service Units in improving and refining their Information Asset Registers (IARs).
 - e. Council's Caldicott Guardians identified and appear on the National CG Register. There has been a very recent change to the CG for Children's Services; update to the National Register is in progress.
 - f. DiSC (Dorset Information Sharing Charter) BCP signatory update requested in July 2020. There are issues with the signatory process, which is being addressed by Dorset Council and should be resolved shortly. In the meantime, BCP does appear as a signatory.
 - g. Pan Dorset Information Governance Group re-convened and first meeting held on 21 March 2021. The Group had been inactive from August 2019. The Group is responsible for the review and update of the DiSC, which is now in progress.
 - h. All IG guidance has been reviewed and updated and is available on the BCP Intranet
16. Three medium risk recommendations remain outstanding from the Internal Audit report, which will be addressed during 2021/22.

IG Training Programme

- 17. IG face-to-face training sessions ceased because of the first lockdown in March 2020 and the vacancy arising from the resignation of the Principal IG Officer, who led in developing and delivering the training programme.
- 18. Since this time the Council's i-learning platform has been used to provide IG training.
- 19. All existing IG i-learning sessions have been reviewed and updated, new sessions have been added and four of the sessions deemed mandatory, which has been approved by the SIRO and IGB.
- 20. Take up of these sessions is improving, with the last quarter showing a significant increase.
- 21. IGB has approved i-learning as the method by which the Council will deliver IG training in the future. If exceptionally face-to-face training is considered desirable for officers who may require more detailed/specialist knowledge of FOIA/EIRs/DPA, Service Units will identify and fund such training.
- 22. The IG Team is currently considering the provision of virtual training for the IAA Group to encourage better use of the RFI Tracker and reinforce the Council's RFI procedures.

Options Appraisal

- 23. Not applicable – this is an update report for information.

Summary of financial implications

- 24. The Information Commissioner's Office is empowered to take enforcement action and impose sanctions, which can include significant financial penalties.

Summary of legal implications

25. Data subjects can bring claims for compensation in cases where their privacy rights have been breached.

Summary of human resources implications

26. There are no human resources implications from this report.

Summary of sustainability impact

27. There are no sustainability implications from this report.

Summary of public health implications

28. There are no public health implications from this report.

Summary of equality implications

29. There are no equality implications from this report.

Summary of risk assessment

30. Not applicable – this is an update report for information.

Background papers

None

Appendices

Appendix A

Appendix B (Tables 1-7)