

Audit & Governance Committee

Date of Meeting: 16 May 2018

Report Title: Information Governance Update

Portfolio Holder: Councillor Paul Findlow & Councillor Paul Bates

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Senior Officer: Jan Willis - Interim Executive Director of Corporate Services

1. Report Summary

This report provides an update on key achievements of the Information Assurance and Data Management (IADM) Team in relation to Information Governance (IG) and preparations for the introduction of the General Data Protection Regulation (GDPR) which is new legislation that will come into force 25th May 2018 and replace the current Data Protection Act 1998.

2. Recommendation/s

- 2.1.** To note the Information Assurance and Data Management (IADM) Team's activities and progress in delivery of Information Governance (IG).
- 2.2.** To provide assurance on progress and delivery of activities in relation to the General Data Protection Regulation (GDPR).

3. Reasons for Recommendation/s

To provide Audit and Governance with an update on assurance.

4. Other Options Considered

N/a

5. Background

Information Assurance (IA) is the practice of assuring information and managing risks related to the use, processing, storage and transmission of data. The Information Governance Group (IGG) is used to monitor and report on the maturity of the organisation.

The IGG oversee a number of activities including monitoring the number and nature of information incidents.

To support and increase the maturity of the organisation the Council has developed an IADM programme. The IADM programme has been tasked with

leading the Authority to GDPR compliance. Following the guidance that has been issued from the Information Commissioners Office (ICO), it has adopted a risk based approach to meet compliance.

5.1. Data Protection Compliance

There have been no reportable ICO data protection incidents for the period 1st April 2017 to 31st March 2018 and the Council has not received any enforcement actions or monetary penalties. 161 data breaches occurred in that period. Of the incidents recorded there has either been no further action or there has been a request for training or process change to be carried which IGG has deemed as reasonable measures to minimise repeat of similar incidents.

The number of incidents compares to 103 for 2016/17. The increase in the number of incidents was anticipated; as the organisation drives to become more mature the raising of awareness is central to incident reporting. This rise therefore is to be expected and the IADM programme will continue to deliver business changes until the maturity of the organisation has reached a consistent and sustainable level.

As part of its compliance to external bodies the Council has to meet a number of control requirements to enable connection to the Governments Public Services Network (PSN) and the NHS network.

The PSN is an annual submission of a number of controls and supporting evidence which is checked and validated by an external assessor.

The NHS is an annual submission of a number of controls and supporting evidence, in addition there is two year audit by external assessors.

The Council has achieved compliance to PSN and it has also been confirmed by NHS Digital that it has achieved the required compliance status.

5.2. GDPR

GDPR is the EU legislation which will replace the Data Protection Act 1998. The privacy changes will come into force 25th May 2018 and provide all individuals within the EU with extra rights and greater control of their information. This in turn means that the Council must be fully informed of what, where and how it stores information on individuals across the organisation.

The IADM team has developed a plan to deliver the high priority and critical compliance measures. This plan is on track with essential processes and practices associated with Individual Rights, Breach Management and Data Management processes complete.

Mandatory training has been rolled out across the organisation. The current completion figure across the organisation is 74%. There will be a reminder email send out to those who haven't yet completed the course.

A defined action plan will be put in place post 25th May addressing a number of essential ongoing activities to ensure GDPR compliance. It is noted that the go live date is the start of compliance and much work will need to be done post May 2018. The post May action plan will place focus on transitioning GDPR processes and practices into service / business as usual.

The wider IADM programme will continue to drive project delivery pertinent to maturing organisational culture as genuine compliance will only be met if the organisation strategically and operationally aligns to corporate information management strategy, process and policy.

Further information and guidance has been published on the Council's Intranet.

5.3. Land Registry Changes

On 1st March 2018, HM Land Registry (HMLR) announced that they will be working with 26 local authorities in England to migrate their Local Land Charges (LLC) records to a centralised digital register, which will launch later this year and benefit up to 125,000 homebuyers in 2018 to 2019.

In 2017/18, IADM completed an investigation into the information which is currently used to complete LLC searches, to allow the authority to understand the scale of the task(s) and the principal issues and risks. CE has a responsibility to ensure the LLC data is accurate before it is migrated to HMLR. A series of meetings were held with Nominated Representatives (NR) of the information and estimates of the level of effort to populate missing items and correct known issues were collated.

In 2018/19, Phase II of the IADM project will focus on identifying and developing IT-led solutions for correcting known data issues and populating missing mandatory components from high-volume datasets. It will also liaise with relevant departments to ensure that information where applicable is corrected and enhanced through manual intervention. This will ensure that the information provided is complete and accurate.

CE LLC data will migrate to HMLR during 2019/20. Communications are open between IADM and HMLR and the programme will maintain the relationship / dialogue to ensure CE are as informed regarding HMLRs migration plans.

5.4. Information Asset Register

The Council's Information Asset Register (IAR) has been updated and published on the Council's website so that it is viewable for residents to see. The IAR is a list of all information that the Council holds including why we hold it (i.e. legal justification) and how long we keep it for.

The IADM programme has run a number of roadshows across the main Council buildings, these have been used to update officers and members on progress and to raise awareness and maturity of the Council of best practice and to advise on the work that is ongoing.

6. Implications of the Recommendations

6.1. Legal Implications

6.1.1. The implications of the regulations have been communicated to members of staff. The standard contract templates for procurement have been changed in readiness.

6.2. Finance Implications

6.2.1. Non-compliance to the regulations can result in financial penalties of 4% of turnover up to a maximum fine of €20m.

6.3. Policy Implications

6.3.1. The Council's internal policy on Data Protection will reflect any changes identified as part of the Data Protection Regulations and the Data Protection Bill.

6.4. Equality Implications

6.4.1. As part of the review of the Data Protection Policy an Equality Impact Assessment will be conducted.

6.5. Human Resources Implications

6.5.1. All Members, employees and contractors have been requested to complete an e-learning module on GDPR.

6.6. Risk Management Implications

6.6.1. Any changes to the risk profile of information and the Council will be detailed within the corporate risk register.

6.7. Rural Communities Implications

6.7.1. There are no direct implications for rural communities.

6.8. Implications for Children & Young People

6.8.1. There are no direct implications for children and young people.

6.9. Public Health Implications

6.9.1. There are no direct implications for public health.

7. Ward Members Affected

7.1. Implications are borough wide.

8. Access to Information

8.1. There are no supporting documents.

9. Contact Information

9.1. Any questions relating to this report should be directed to the following officer:

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