

Audit & Governance Committee

Date of Meeting: 31 July 2018

Report Title: Information Governance Update

Senior Officer: Jan Willis, Interim Executive Director Corporate Services

1. Report Summary

- 1.1. This report provides an update on progress with General Data Protection Regulation (GDPR) and outlines the continued delivery required to achieve compliance to GDPR and the Data Protection Act 2018.
- 1.2. This report is to provide assurance on the Council's GDPR readiness and awareness, this supports Strategic Outcome 6 – a responsible, effective and efficient organisation.

2. Recommendation

- 2.1. To note and receive detail on the assurance on progress of delivery in relation to the GDPR.

3. Reasons for Recommendation/s

- 3.1. To provide Audit and Governance with an update on GDPR delivery.

4. Other Options Considered

- 4.1. Not applicable.

5. Background

- 5.1. 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.
- 5.2. The IGG oversee a number of activities including monitoring the number and nature of information incidents.

- 5.3. 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.
- 5.4. GDPR is the EU legislation, which alongside the UK's Data Protection Act 2018 will replace the Data Protection Act 1998. The privacy changes came 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.
- 5.5. The GDPR delivery prior to the 25th May 2018 focussed on high priority and critical compliance measures. The project used a risk based approach and the highest risk areas in terms of sensitivity were identified and targeted through contract variations, staff awareness, consent modelling and process change in this first phase. The plan was delivered on time with essential processes and practices associated with Individual Rights, Breach Management and Data Management processes complete.
- 5.6. Mandatory training has been rolled out across the organisation. The current completion figure across the organisation is 87%. The programme will continue to monitor and remind colleagues of the importance of completing this mandatory training. An email reminder has been sent to all who have not completed the training and this will be followed up. The programme is looking to roll out additional training to particular teams who have a requirement to understand the Data Protection Act 2018 in more detail.
- 5.7. The programme team are now defining second phase GDPR delivery which will address further system requirements and changes to business processes. It is noted that the go live date is the start of compliance and much work still needs to be done post May 2018.
- 5.8. The second phase action plan will focus on transitioning completed GDPR processes and practices into service / business as usual as well as additional activities required for organisational compliance.
- 5.9. The programme team will continue to work with Service champions who play a pivotal role within their areas to promote GDPR, understand operational implications, the impact to their service, and wider Information Governance

best practices. IADM programme will continue to deliver GDPR within approved governance and communication plans.

- 5.10. The wider IADM programme will 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.
- 5.11. The programme team is gaining re-assurance from the service areas on compliance to the GDPR principles by a number of elements. These include regular monitoring of training completed, monitoring of information breaches which include scoring by severity. There is also the GDPR steering group which feeds back on progress and adherence to principles.
- 5.12. The organisation continues to work towards best practice and GDPR compliance via delivery under the IADM Programme, the Council can be assured that reasonable steps have been completed to ensure the organisation has prepared itself as much as possible to align to GDPR. The Information Commissioner has acknowledged that steps towards on-going compliance are expected to run past May 2018.
- 5.13. Information and guidance continues to be published on the Council's Intranet.

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 and legal have been changed to ensure all contracts and procurements going forward consider GDPR as required

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. The fine is capped at €20m as we are a Public Authority.

6.3. Policy Implications

- 6.3.1. The Council's internal policy on Data Protection will reflect any changes identified as part of the GDPR, the Data Protection Bill and the Data Protection Act 2018.

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. Consultation & Engagement

8.1. The draft Annual Governance Statement has been considered by the Audit and Governance Committee in May 2018.

9. Access to Information

9.1. There are no supporting documents.

10. Contact Information

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

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