Title: Information Governance Annual Report

Report of the Chief Finance Officer

Open Report For Information

Wards Affected: All Key Decision: No

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Accountable Director: Jonathan Bunt, Chief Finance Officer

Summary:

This report provides an update on Information Governance issues in the Council. It includes statistics on Freedom of Information requests and Data Protection Act Subject Access requests. The report also sets out work that has been completed in the past year by the Information Governance board.

Recommendation(s):

The Committee is recommended to:

(i) Note the data on Freedom of Information requests and Data Protection Act subject access requests

(ii) Note the work that has been ongoing to improve Information Governance within the Council

(iii) Note the planned actions for 2015

Reason(s):

To provide the Public Accounts and Audit Select Committee with an update on the Council’s Information Governance work.

1. Introduction and Background

1.1. This paper forms the annual report on Information Governance to the Public Accounts and Audit Select Committee. Information Governance primarily focuses on the Council’s obligations under the Freedom of Information Act and the Data Protection Act.

1.2. The report provides information on:

- Freedom of Information requests volumes
- Data Protection Act subject access requests volumes.
● Information about information security breaches that have been identified during the year.

1.3. This report provides data on the volume of requests up to the end of quarter 2, 30 September 2014.

1.4. 2014 was a year of considerable change within the information governance team as both the manager and the officer roles were vacated with both staff leaving the Council in May and August respectively. The role of Information Governance Manager was taken up by the Customer Services Client and the post of Information Governance Officer was filled in January 2015. In order to provide greater resilience an external specialist consultant has been retained on a part time basis and offers two days support a month.

2. Regulatory developments

2.1. The Information Commissioner’s Office (ICO) continues to make use of its powers to fine organisations responsible for the loss of personal data. In the period April 2013 – March 2014 a total of seventeen fines were levied, five of which were against local authorities. The sums involved averaged around £94,000 per authority.

2.2. In April 2014 following an accidental disclosure of a social work case file, the ICO asked the Council to sign an Undertaking to ensure that steps would be put in place to guarantee prompt and efficient data breach reporting and investigation.

2.3. A number of measures were put in place to meet the ICO’s expected standards. These steps included a revised data breach reporting and investigations timetable and an insistence that all staff were obliged to undertake management of information training. A revised set of data handling documents were added to the intranet together with a CMT ruling that the management of information course would have to be undertaken annually. As a result of these changes the ICO accepted that the progress made was sufficient to avoid further action. However the Council remain under scrutiny.

3. Information Management

3.1. Information management includes the training undertaken by staff and data breaches reported within the Council. The “Managing Information” online training course was made available on the Council’s new i-Learn system in October 2012. To date 86% of the workforce has undertaken the module. The “Management Information” course is mandatory for all staff and managers were asked to check that it had been completed as part of the appraisal process.

3.2. Information data breaches continue to be reported and investigated internally to ensure that lessons are learnt. The latest information on data breach incidents is shown in the table below:
3.3. The number of reported breaches is lower than those recorded in 2013. It is believed that this decrease is likely to be due to an increasing awareness of the process and the obligations under the data protection together with the Council wide training that every staff member has to undertake.

3.4. The detail of each breach is discussed at the Council’s Information Governance Board to identify trends that need to be addressed.

3.5. The Council self-reported two issues to the Information Commissioner’s Office (ICO). Both issues were caused by paper copies of personal data being posted to the wrong recipient. These incidents remain under investigation by the ICO and we have been cooperating fully with their enquiries.

4. Freedom of Information Requests

4.1. The number of FoI requests received by the Council continues to grow (a 16% increase on the previous year).

4.2. Work continues in supporting departments in responding as efficiently as possible to FoI requests. This has included providing telephone and email advice to officers responding to FoI requests and direct intervention by the team in identifying those requests that should not be classified as FoI requests (for example, a request for the Council to express an opinion).

4.3. FoI Requests received:

- In 2012/13 the Council received 1205 requests
- In 2013/14 the Council received 1444 requests

<table>
<thead>
<tr>
<th>Category</th>
<th>April 2013 - Dec 2013</th>
<th>Jan 2014- Dec 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Computer / laptop stolen</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Confidential information disclosure</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td>Papers left on printer or in public area / lost</td>
<td>7</td>
<td>2</td>
</tr>
<tr>
<td>RSA token lost / stolen</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Unsecure email or scan sent / incorrect recipient</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Improper storage of information</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Information sent to 3rd Party</td>
<td>7</td>
<td>9</td>
</tr>
<tr>
<td>USB memory device lost / stolen</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>25</strong></td>
<td><strong>14</strong></td>
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</tbody>
</table>
4.4. Requests responded to within the statutory deadline:

- In 2012/13 the Council responded to 77% of requests within the deadline
- In 2013/14 the Council responded to 77% of requests within the deadline

5. Data Protection Act Subject Access Requests

5.1 The Council received 216 Data Protection Act Subject Access requests during 2013/14 and responded to 90% of these within the 40 day allowed time.

5.2 The biggest change the Council has made to the way in which it handles Data Protection Act Subject Access requests has been the introduction of a £10 charge for each request (the maximum figure allowed by government).

5.3 Adults and Childrens' Services are not included in the above breakdown as those subject access requests are processed on a separate system. Figures obtained from the Services for 2012/2013 are:

- Childrens: 74 (an increase of over 100% on the previous year)
- Adults: 4 (a decrease of 70% on the previous year)

These figures do not include requests for files received from Courts, lawyers or other agencies, that are made through Data Sharing Agreements, for child protection cases were these to be included the total would be 1,460 requests.

6. Work plan review of 2013/14

<table>
<thead>
<tr>
<th>2013/2014 workplan activities</th>
<th>Update on progress</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establish membership of Information Governance Board and Information Governance working Group following approval of new structure.</td>
<td>This has been achieved with new Board membership, chaired by Jon Bunt.</td>
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<tr>
<td>Establish the role of Information Asset Owner amongst managers and provide appropriate training.</td>
<td>An information assets register has been established and owners identified. Owners have been trained / continue to be trained.</td>
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<tr>
<td>Develop and launch an Information Governance awareness campaign for the Council including revised posters, workshops and an updated training programme.</td>
<td>A campaign was launched with literature and posters displayed in Council buildings.</td>
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<td>Review the Council’s approach to protective marking in the light of the new classification scheme being implemented by central government</td>
<td>Protective marking standards were downgraded by government and this standard is no longer applied.</td>
</tr>
</tbody>
</table>
7. **Work plan priorities for 2014/15**

7.1 The information governance requirements placed upon local government have changed over the course of the last year from a position of requiring detailed evidence to demonstrate that we meet central government standards to a position where we are required to assert that we meet standards (which is largely non evidenced based submission). The new approach requires that we merely demonstrate a degree of maturity in information handling and that we can be trusted. We have taken this new approach into consideration in identifying the following priorities for the Council’s Information Governance workstream in 2015:

- Meet the new minimum standards of information maturity expected by government
- Introduce an Information Promise
- Complete information asset owner training
- Revise and streamline privacy notice statements / agreements
- Update retention schedule policies
- Revise and update information management training materials
- Develop and introduce a more robust approach to the internal management of FoI requests
- Work will continue to ensure that all staff complete the online Managing Information training course and to continue to raise awareness of the importance of protecting the information held by the Council.

**Background Papers Used in the Preparation of the Report:**


**List of appendices:**
None