

 Executive 5 April 2018		Agenda Item No. 3
Title	Information Governance Framework	
For further information about this report please contact	Graham Leach Democratic Services Manager & Deputy Monitoring Officer 01926 456114 graham.leach@warwickdc.gov.uk	
Wards of the District directly affected	None	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	N/A	
Background Papers	General Data Protection Regulation, Data Protection Act 1998 and Data Protection Bill.	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No
Equality Impact Assessment Undertaken	No

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	15/3/2018	Andrew Jones
Head of Service		
CMT		
Section 151 Officer	15/3/2018	Mike Snow
Monitoring Officer	15/3/2018	Andrew Jones
Finance	14/3/2018	Jenny Clayton
Portfolio Holder(s)	22/3/2018	Andrew Mobbs
Consultation & Community Engagement		
All Heads of Service – 15/3/2018		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

1. **Summary**

- 1.1 The report brings forward proposal for a new Information Governance Framework for Warwick District Council, revised relevant policies and a proposed action plan for the year ahead.

2. **Recommendation**

- 2.1 That the Executive approves the Warwick District Council, Information Governance Framework (Appendix 1).
- 2.2 That the Executive approves the following policies, as set out in the appendices to the report:
 - (a) Data Confidentiality & Privacy (Appendix 2)
 - (b) Access to Information and Rights (Appendix 3)
 - (c) Incident Management (Appendix 4)
 - (d) Records Management Policy (Appendix 5)
- 2.3 That the priorities for Information Governance for the year 2018/19 be; (1) training and awareness of Information Governance with staff and Councillors; (2) Delivering a Data Quality Policy; (3) embedding protective marking of documents; and (4) a review of data retention schedules with Service Areas.
- 2.4 That the Executive recommends to Council that the scheme of Delegation G(13) be amended to read as follows: Make decisions under the provisions of the DPA 1998, GDPR and DPA 2018.
- 2.5 That the Executive recommends to Council the Constitution be amended so that it recognises the Council has appointed an Information Governance Manager to act as Data Protection Officer for the Council.

3. **Reasons for the Recommendation**

- 3.1 From 25 May 2018 the UK will be subject to the General Data Protection Regulation from the EU. These will replace the current Data Protection Act 1998 and will be supplemented (and in due course) replaced by the Data Protection Act 2018. This act will also define the approach by the UK in respect of the requirements of the EU Data Protection Directive, know as the Law Enforcement Directive.
- 3.2 The Council will be required to abide by the regulations because of its need to handle personal data in order to carry out its functions as a local authority.
- 3.3 Under the regulations the Council must appoint a Data Protection Officer. The Council has completed this duty via a shared Information Governance Manger with Stratford District Council as part of a two year agreement.
- 3.4 There was a delay in completing the agreement for the above post and because of the technical knowledge the above post would need and oversight role it provides a large proportion of the work to bring forward the attached framework was delayed until they were in post.
- 3.5 The proposed Information Governance Framework provides the overall structure for Information Governance within the Council and establishes who will be responsible for the approval of relevant policies and training.

- 3.6 The Framework and associated policies are based on good practice from other authorities and shared knowledge through partnership but also reflect the requirements placed on the Council by the new regulations.
- 3.7 The Information Security & Conduct Policy has not been brought to the Executive as this Policy is one that has been considered, and approved, by Employment Committee on 21 March 2018
- 3.8 The priorities for the forthcoming year in respect of Information Governance, mainly focus on further training for Officers and Councillors but also further developing the sub-policies within the Framework and importantly the Data Quality Strategy. This is to ensure the Council's commitment to have robust information governance practices in place are firmly embedded within the Council.
- 3.9 The proposed amendments to the scheme of delegation are proposed to reflect the changes in statute and regulation to enable current working practices to continue.

4. Policy Framework

4.1 Fit for the Future (FFF)

The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects.

The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

FFF Strands		
People	Services	Money
External		
Health, Homes, Communities	Green, Clean, Safe	Infrastructure, Enterprise, Employment
<u>Intended outcomes:</u> Improved health for all Housing needs for all met Impressive cultural and sports activities Cohesive and active communities	<u>Intended outcomes:</u> Area has well looked after public spaces All communities have access to decent open space Improved air quality Low levels of crime and ASB	<u>Intended outcomes:</u> Dynamic and diverse local economy Vibrant town centres Improved performance/productivity of local economy Increased employment and income levels
Impacts of Proposal		
No direct impact	No direct impact	No direct impact
Internal		
Effective Staff	Maintain or Improve Services	Firm Financial Footing over the Longer Term
<u>Intended outcomes:</u> All staff are properly trained	<u>Intended outcomes:</u> Focusing on our customers' needs	<u>Intended outcomes:</u> Better return/use of our assets

All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours	Continuously improve our processes Increase the digital provision of services	Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money
Impacts of Proposal		
<i>The framework and polices intend to put in place good governance structure to ensure staff can act in accordance with the law and continue to deliver excellent service.</i>	<i>The framework and policies provide assurance to our customers that their personal data and information is handled securely and treated with the respect that it deserves.</i>	<i>No direct impact.</i>

4.2 **Supporting Strategies** - The report does not directly relate to any of the supporting strategies.

4.3 **Changes to Existing Policies** – the report does not propose any amendments to Existing Policies

4.4 **Impact Assessments** – An impact assessment has not been undertaken because the report brings forward new policies in line with EU regulations and statutory requirements.

5. Budgetary Framework

5.1 The report does not impact on budget framework for the Council.

5.2 The registration fee with the information commissioner as a data controller for this Council is likely to rise from £500 to £2,900 but this will be met within current budgets for 2018/19

5.3 The cost of the Information Governance Manager has previously been agreed by the Executive for two year contract with Stratford on Avon District Council. This contract is reviewed every two months and a decision on the long term arrangement will be brought back to Executive early 2019.

6. Risks

6.1 The main risk associated with the report is the non adoption of the proposed Framework and Policies because the revisions need to be in place ahead of GDPR coming into force on 25 May and time needs to be allowed to make staff aware of these.

6.2 There Executive will note some gaps within the current Framework which are being developed in detail. It will be noted that a significant

7. Alternative Option(s) considered

- 7.1 The Executive could consider approving the Information Governance Framework and policies with suitable amendments but this is not recommended because these have been developed using best practice and experience from other authorities.