Selby District Council

Information Governance Progress Report
December 2020

Information Governance Manager:	Rebecca Bradley
Head of Internal Audit:	Max Thomas
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PURPOSE OF THE REPORT

1   To provide an update on Information Governance matters and developments in the Council's Information Governance arrangements and compliance with relevant legislation.

2   Information governance is the framework established for managing, recording, protecting, using and sharing information assets in order to support the efficient and effective delivery of services. The framework includes management structures, policies and processes, technical measures and action plans. It helps to ensure information is handled securely and correctly, and provides assurance to the public, partners and other stakeholders that the Council is complying with all statutory, regulatory and best practice requirements. Information is a key asset for the Council along with money, property and human resources, and must therefore be protected accordingly. Information governance is however the responsibility of all employees.

3   The Council must comply with relevant legislation, including:

   ● The Data Protection Act 2018
   ● The General Data Protection Regulation (GDPR)
   ● Freedom of Information Act 2000
   ● Environmental Information Regulations 2004
   ● Regulation of Investigatory Powers Act 2000

4   In March 2018, the Council appointed Veritau to be its statutory Data Protection Officer (DPO).

5   The Corporate Information Governance Group (CIGG) is responsible for overseeing information governance within the council. The group is chaired by the Head of Business Development and Improvement and provides overall direction and guidance on all information governance matters. CIGG also helps to support the Council's Senior Information Risk Owner (SIRO) to discharge her responsibilities. CIGG is currently coordinating the delivery of the GDPR action plan, which includes reviewing and updating the council's information governance strategy and policy framework.

GDPR ACTION PLAN UPDATE

6   A new action plan has been provided to the Council with a thorough breakdown of actions to achieve our deliverables. This is now being utilised fully to keep track of work.

7   A review of the council's privacy notices has been completed and gaps identified. These will be amended in conjunction with the review of the Information Asset register.

8   Work has commenced to review and update the information governance policy framework. The review has now been completed and updated policies will now be shared with any amendments being completed in quarter 4.

9   A Special Category Policy, required to satisfy Schedule 1, Part 4 of the Data Protection Act 2018 has now been completed This document lists the types of special category information the council processes and their lawful basis to do so. This will be presented at the next CIGG meeting for review.

10   The Information Asset Register has been amended to reflect GDPR compliance needs and now includes columns for law enforcement processing. Work is ongoing to ensure the register is correct and up to date. Veritau is working with the relevant service teams to complete this work. Some areas require small amendments. Major outstanding areas include Legal and Housing & Environmental Health. Human Resources have completed their first draft for the register which is now being checked.

11   A gap analysis of the Council's Information Sharing Agreements (ISA) has been completed with areas of concern identified. Veritau has confirmed the high risk areas with the SIRO and is establishing what ISA's and Data Processing Contracts are held. The initial plan was to contact the individual service areas, however due to their high workloads it has been decided to contact the Contracts team to get as many from them as possible then any outstanding ones can be gained from the service areas directly.

CORONAVIRUS (COVID-19)

12   A new privacy notice for the Self-Isolation Payment for Covid-19 has been finalised and published. The main Covid-19 privacy notice has also been amended to include elements of Track & Trace processing.

13   The Council continue to work with other members of the North Yorkshire Information Sharing Protocol to continue sharing under the overall ISA for Covid-19 related sharing.

TRAINING

14   It was agreed at CIGG that training sessions will be held online and in smaller sessions. The training sessions, which will be bookable, includes Records Management, Data Protection Rights and Principles and a new session around Data Protection Impact Assessments. The Council has been approached in relation to identifying dates and once these are confirmed, the sessions will be formally booked in.

INFORMATION SECURITY INCIDENTS (DATA BREACHES)

15   Information Security Incidents have been reported to Veritau as required. The incidents are assessed, given a RAG rating and then investigated as required. Green incidents are unlikely to result in harm but indicate a breach of procedure or policy; Amber incidents represent actual disclosure, but harm is unlikely to be serious; and Red incidents are sufficiently serious to be considered for self-reporting to the ICO. Some incidents are categorised as 'white'. White incidents are where there has been a failure of security safeguards but no breach of confidentiality, integrity, or availability has actually taken place (i.e. the incident was a near miss).

16   The number of Security Incidents reported to the Council and Veritau in 2020-21 are as follows:

Year	Quarter	Red	Amber	Green	White	Total
2019/20	Q1	0	2	2	1	5
	Q2	0	1	0	2	3
	Q3	0	1	2	0	0
	Q4	0	0	0	0	0
	Total	0	4	4	3	8

SUBJECT ACCESS REQUESTS – INTERNAL REVIEWS

17   Veritau do not process Subject Access Requests for Selby however we do advise on Internal Reviews when appropriate.

DATA PROTECTION IMPACT ASSESSMENTS

18   High Street Heritage Action Zone Project Newsletters
Veritau are supporting the service area with a DPIA related to the Heritage project. Initially this DPIA was focusing on newsletters to promote the events however it is now being expanded to cover the project as a whole. An initial draft has been done and is with Veritau for checking. A draft privacy notice is prepared, ready for when a processor is chosen and the IAR will also be updated to reflect this.

19   MyView
In 2019, the council implemented MyView. However a DPIA was not done before implementation. A first draft of the DPIA was received by Veritau in September. Comments have been returned to the service.

20   Biometric for Laptops DPIA
Veritau is supporting the service area in the DPIA for the use of employee biometric data for the use of fingerprint unlocking on work laptops, phones and other equipment where this can be enabled. This DPIA is nearing completion.

21   Canvass Reform
The service area are currently writing the DPIA to reflect changes to how information is collected as part of the Canvass Reform, as set out in new legislation by the Cabinet Office.

22   Recording Meetings
Advice has been given regarding the recording of council meetings. We are assessing whether a DPIA is required for such recording and what other supporting documentation would need to be in place.

SURVEILLANCE

23   Veritau have had a number of meetings with Angela Crossland and others to move the overt surveillance work forward. The Surveillance log has been circulated and a gap analysis will be completed. Actions will be set to prioritise

which DPIA's and ISAs need to be in place. Progress will continue to be reported to CIGG.

24 Draft policy documents and privacy notices are complete, subject to further consultation with the relevant officers.

25 Whilst Veritau have been focused on overt Surveillance, there has also been discussions about the need to ensure that Surveillance as a whole is considered, including covert surveillance. To assist with this, Veritau have conducted a review of the current RIPA (Regulation of Investigatory Powers Act) Policy and has provided some general advice.

LAW ENFORCEMENT

26 An initial scoping exercise has taken place to ascertain which areas of the council may need to be considered as undertaking law enforcement processing, which is governed by Part 3 of the Data Protection Act 2018. Whilst work has been delayed due to the high workloads within the Council, good progress has been made. Areas have now been mapped out as far as possible and amendments to the Information Asset Register will reflect where law enforcement processing is taking place, linking back to the relevant legislation and/or enforcement policies.

27 Documents such as the new DPIA template and guidance have been drafted to include law enforcement considerations.

28 Privacy notices have been reviewed with law enforcement in mind. It has been agreed that any changes to the notices will occur at the same time as any identified updates as per paragraph 7 above. Priority will be given to updating the corporate privacy notice in quarter 4.

29 A draft policy document around law enforcement processing, which is a legal requirement, has been completed. This will be presented at the next CIGG for review.

30 A training course has been designed which is able to be provided remotely. Further work is being carried out to ensure that the course meets all the requirements of the Council – for example making sure that examples are specific to the services who require training. The course will be made available later in 2021.