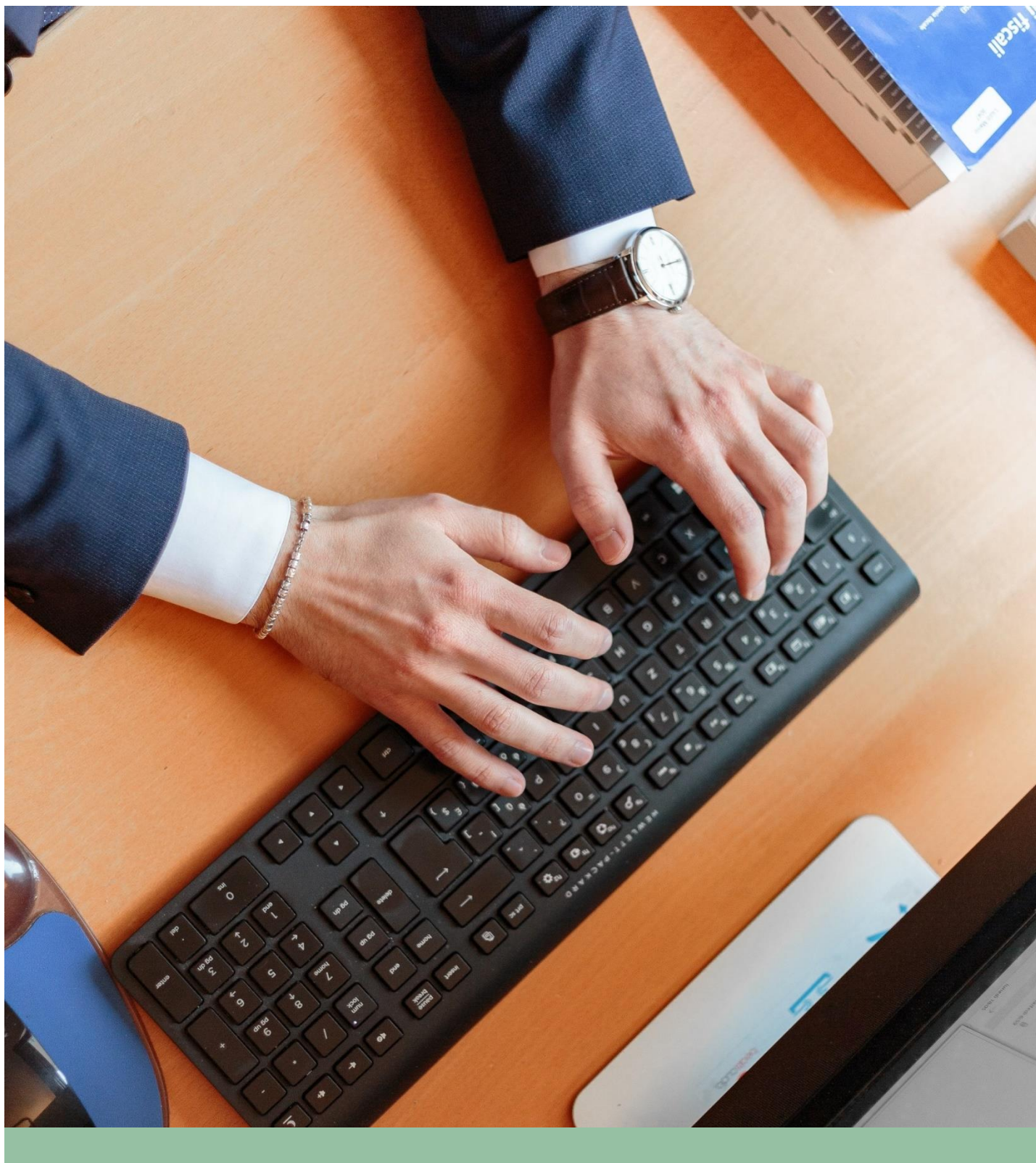


INFORMATION GOVERNANCE WORK PROGRAMME 2021/22

Date: 29 September 2021

ANNEX 3



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 UK General Data Protection Regulation (UK 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 Chief Finance Officer, who is the Senior Information Risk owner for the Council (SIRO) and provides overall direction and guidance on all information governance matters. CIGG also helps to support the (SIRO) to discharge their responsibilities. CIGG is currently coordinating the delivery of the UK GDPR action plan, which includes reviewing and updating the Council's Information Sharing Agreements (ISAs) and Data Processing Contracts (DPCs).

UK GDPR ACTION PLAN UPDATE

- 6 A new 2021/22 action plan has been provided to the Council. This includes a detailed breakdown of actions required to achieve agreed deliverables.
- 7 Following completion of the privacy notice review in 2020/21, Veritau have now started applying the relevant changes and will be starting to make contact with service areas to complete privacy notices that have been identified for drafting.
- 8 A number of privacy notices have been completed and uploaded to the Council website including Planning Policy, Complaints and Explore Heart of Yorkshire. Updates have been applied to the corporate privacy notice.

- 9 A small number of policies remain for CIGG approval and should be approved and published before the end of Quarter 2.
- 10 The Information Asset Register (IAR) was amended to reflect UK GDPR compliance needs and now includes columns for law enforcement processing. A review of the IAR was started with copies being sent to each service area for them to check. Most service areas have responded with only a small number of them outstanding. Currently, the outstanding areas are Democratic Services, Finance, Housing and Environmental Health, this is expected to be completed before the end of September.
- 11 In 2020/21 a gap analysis of the Council's ISAs and DPCs was completed and a number of areas were identified where there was insufficient information. Work is ongoing to locate and acquire copies of documentation in these areas so they can be reviewed and updated with the appropriate clauses where necessary.

TRAINING

- 12 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)

- 13 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 Information Commissioner's Office (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).
- 14 The number of Security Incidents reported to the Council and Veritau in 2021/22 up until August are as follows:

Year	Quarter	Red	Amber	Green	White	Total
2021/22	Q1	1	0	4	1	6
	Q2	0	0	0	1	1
	Q3					
	Q4					
	Total	1	0	4	2	7

- 15 The red incident in Q1 was reported to the ICO who responded with no further actions for the Council.

SUBJECT ACCESS REQUESTS - INTERNAL REVIEWS

- 16 Veritau provides advice on internal reviews relating to Subject Access Requests as required.

DATA PROTECTION IMPACT ASSESSMENTS

- 17 Veritau is supporting the Council in completing a number of DPIAs as well as providing advice on whether a DPIA was required for other projects.
- 18 CCTV for Town Centre: An initial draft is being prepared to cover town centre CCTV cameras. The relationship the Council has with the police will need to be explored as part of this work as only the police access the footage for law enforcement purposes.
- 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 2020. Comments have been returned to the service area.
- 20 A number of DPIAs have been identified as needing to be completed following the completion of the surveillance review (see below). These will be progressed during 2021/22.

SURVEILLANCE

- 21 In early 2020/21, Veritau had a number of meetings with the Head of Communities, Partnerships and Customers (the designated Senior Responsible Officer with the Surveillance Camera Commissioner) and others to progress work on overt surveillance activities. The surveillance log was circulated and a gap analysis completed. This included the need to ensure all relevant DPIA's and ISAs were in place. This work is now complete.
- 22 Draft policy documents and privacy notices are also complete, and have been presented at CIGG for consultation.
- 23 Discussions also took place on other aspects of surveillance, including covert surveillance. To assist with this, Veritau conducted a review of the current RIPA (Regulation of Investigatory Powers Act) policy and provided general advice to assist the Monitoring Officer.
- 24 The Surveillance Overview Policy, Overt Surveillance policy and Corporate Policy RIPA are due to be presented at September A&G Committee.

LAW ENFORCEMENT

- 25 An initial scoping exercise has been completed to ascertain which areas of the Council might be undertaking law enforcement processing, as governed by Part 3 of the Data Protection Act 2018. Areas were mapped out as far as possible and amendments to the Information Asset Register now reflect where law enforcement processing is taking place, linking back to the relevant legislation and/or enforcement policies.
- 26 Documents such as the new DPIA template and guidance were also drafted to include law enforcement considerations.
- 27 Privacy notices were 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 noted in paragraph 7 above. The corporate privacy notice has been updated to include information about conditions for criminal offence data, enforcement investigations and prosecutions.
- 28 The Law Enforcement Policy, required for compliance with section 42 of the Data Protection Act 2018 to cover data processed under Part 3 of the Act alone, was approved by CIGG in April 2021. The policy has now been published.
- 29 A virtual training course has also been designed although further work is being carried out to ensure that the course meets all the requirements of the Council. The intention is to make the course available later in 2021.