To the Chair and Members of the
AUDIT COMMITTEE

UPDATE ON INFORMATION GOVERNANCE ISSUES

EXECUTIVE SUMMARY

1. This report provides an update on the Council's arrangements for managing and controlling information, following a revisit of the Council's arrangements by the Information Commissioner's Office in December 2013.

2. The report shows that significant progress has been made since the original audit was completed in December 2012 and reported by the Information Commissioner in February 2013.

3. The Council can now show that it provides '**reasonable assurance'** that controls and processes are in operation to minimise the risks of non-compliance with the Data Protection Act. This is the second highest level of assurance out of 4 levels and an improvement from the original third level '**limited assurance'** opinion given by the Commissioner's Office.

4. The Executive Summary of the ICO's follow-up audit report is attached at **Appendix 1**. This will be published on the Commissioner's website in January 2014.

5. There are a number of actions that will be completed over the next few weeks which, when complete, will strengthen the Council's arrangements further.

RECOMMENDATIONS

6. **The Audit Committee is asked:**

    *   **to note the outcome of the Information Commissioner's follow up audit**
    *   **to support the actions being taken to further strengthen the Council's arrangements.**

BACKGROUND

7. In October 2012 the Council formed an Information Governance Board to implement & embed Information Governance in the Council and to prepare for an audit by the Information Commissioners Office (ICO). The purpose of the Board is "to provide advice, assurance and decisions to Doncaster Metropolitan Borough Council on all matters concerning Records Management Strategy and Information Management, Assurance and Governance".

8.   The assessment made by the ICO following its audit in December 2012 was that there was only '**limited assurance**' that controls and processes are in operation to minimise the risks of non-compliance with the Data Protection Act. Limited assurance is the 3rd out of four possible levels of assurance. The ICO included 34 recommendations in its original audit report.

9.   22 recommendations included in the original action plan were accepted by the Information Commissioner as having been completed when the revisit was carried out in December 2013. These include:

Training and Awareness
- Developing an information governance strategy that formalises the information governance structure and roles and responsibilities
- Developing an annual data protection training plan
- Ensuring there is regular monitoring and reporting of training statistics
- Establishing an escalation process where there is any failure to complete training

Records Management
- Developing an information governance strategy that formalises the information governance structure and roles and responsibilities
- Establishing a clearly defined records management governance framework and identify key personnel responsible for records management strategy, operations and compliance monitoring
- Identifying a Member to champion the role or records management at cabinet level.
- Developing and implementing a needs-based records management training programme for all staff
- Implementing procedures to ensure files removed from storage are returned promptly when no longer required
- Ensuring there are markers placed in filing racks when records are removed, showing who has taken the file and when
- Ensuring system administrators carry out periodic audits to check that personal data has not been inappropriately accessed
- Ensuring any storage units used for holding personal data are lockable
- Introducing procedures for the safe transit of files between locations
- Removing access to IT applications for movers and leavers
- Enforcing a clear desk policy through awareness raising and ad-hoc checks
- Establishing performance measures for records management

Data Sharing
- Developing a data sharing protocol which will provide a framework for the Council and partner organisations to establish and regulate data sharing
- Providing additional training for staff involved in drawing up and signing off data sharing agreements
- Creating and maintaining a central log of all DSAs
- Ensuring the security of transmission of personal data is considered as a risk on risk registers for departments who are undertaking data sharing.

10. There are 14 outstanding recommendations and these are shown in **Appendix 2**, along with progress being made towards their implementation

11. **Overall the Council is in a much better position than it was a year ago. However, this was from a low starting point, and there remain a number of actions to be completed before further assurance can be obtained about the safeguarding of information. Arrangements now in place should ensure the outstanding actions will be completed.**

OPTIONS CONSIDERED & RECOMMENDED OPTION

12. This is not applicable to this report.

IMPACT ON THE COUNCIL'S KEY OBJECTIVES

13. Effective information governance is consistent with and supportive of the Council's objectives.

RISKS AND ASSUMPTIONS

14. Failing to manage information effectively could lead to loss of data, reputation damage and financial penalties. Robust arrangements help to mitigate these risks.

LEGAL IMPLICATIONS

15. The Council is required to comply with the requirements of the Data Protection and Freedom of Information Acts

FINANCIAL IMPLICATIONS

16. There are no specific costs arising from this report.

CONSULTATION

17. All officers and Members have been consulted as appropriate in the development of the Council's arrangements.

BACKGROUND PAPERS

18 Information Commissioner Inspection Reports.

APPENDICES
Appendix 1: Information Commissioner Follow-up Audit: Executive Summary
Appendix 2: Outstanding ICO Recommendations

REPORT AUTHOR & CONTRIBUTORS

Nikki Minnikin, Data Protection Officer, Tel 737978
E-mail – nikki.minnikin@doncaster.gov.uk

Simon Wiles
Director of Finance and Corporate Services