

## Information Governance Framework

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<b>Corporate Priority:</b>	All
<b>Relevant Ward Member(s):</b>	None consulted due to corporate nature of the report.
<b>Date of consultation with Ward Member(s):</b>	26 September 2023
<b>Exempt Information:</b>	No

### 1 Summary

- 1.1 To seek endorsement of the draft Information Governance Framework Annex A and approve all necessary actions in relation to implementation.

## 2 Recommendations

RECOMMENDATION(S)	
<b>That Committee:</b>	
2.1	<b>Approves the draft Information Governance Framework Annex A as attached to this report and</b>
2.2	<b>Notes all necessary actions to be undertaken in relation to implementation of the Framework and the actions arising including review of the policies and procedures referred to in this report.</b>

## 3 Reason for Recommendations

- 3.1 To endorse The Information Governance Framework to ensure compliance with best practice in information management.
- 3.2 To ensure practical implementation.

## 4 Background

- 4.1 Information Management comprises of the following, Data Protection, Freedom of Information and Records Management.
- 4.2 In 2018 a new Data Protection Regime was introduced into the UK with The General Data Protection Regulation and The Data Protection Act 2018. Now incorporated into UK law under the UK GDPR.
- 4.3 In response to this, the Council adopted the policies and working practices as set out below:
  - Data Protection Policy Records Retention and Disposal Policy 2020,
  - Data Protection Policy overview 2020,
  - Data Protection Policy Subject Access (SAR)/ Third Party Requests for Personal Information Policy 2020,
  - Parkside Guidance for Management of Information Incidents.
- 4.4 The Freedom of Information Act 2000 and The Environmental Information Regulations 2004 have been in operation since 2005 and in compliance the Council adopted a Requests for Information Policy 2020.
- 4.5 It is now timely for the Council to review its information governance arrangements. This work has been supported by the Councils internal audit section who have made a number of recommendations which have been reported to this Committee. This report is the first stage in the process with implementation of a planned Information Governance Framework.

## 5 Main Considerations

### Information Governance Framework

- 5.1 The Information Governance Framework provides the basis and plan for implementation of the recommendations and accordingly is supportive of the work of undertaken.

- 5.2 The Information Commissioner's website advises that an accountability framework can help organisations with their obligations. It specifically sets out a number of areas that should be included. These include leadership and oversight, policies and procedures and training and awareness.
- 5.3 The attached Information Governance Framework for the Council follows this approach and addresses the following key points.

**Accountability and responsibility structure.**

- 5.4 The guidance from the Information Commissioner provides that organisations should have policies that "clearly set out the organisational structure". The Framework complies with this by documenting in one place the already existing key officers and their responsibilities.
- 5.5 The Framework also establishes a new Information Governance Working Group. This will comprise of representatives from the service areas as nominated by the relevant Director. The remit of the Group will be to consider any relevant issues pertinent to Data Protection, Freedom of Information and Records Management. It will consider policy, practical implementation and specific issues referred to it in relation to Information Management.

**Policy Structure.**

- 5.6 As set out, The Council has a well- established policy structure with policies in place for Data Protection, Freedom of Information and Records Management.
- There is a commitment in the Framework for policy review and accordingly the current Data Protection Policy is being reviewed. This will set out the Council's key commitments to ensure compliance with the legislation. The data protection regime sets out principles for the processing of personal information and also sets out certain requirements with regard to the management of information such as the requirement to check certain new systems for data protection compliance and transfers of data. The policy will reflect these and other requirements.
- 5.7 The Freedom of Information and Records Management Policies are similarly in the process of being reviewed. Wherever possible, information management will support the Council's corporate objectives.

**Corporate Operational Practices, Training and Support.**

- 5.8 The framework records the Council's commitment to easily accessible and easy to read operational practices. The Council has well established procedures and practices in place, which are now being reviewed. All staff will be required to undertake full training every two years with a reminder on a yearly basis.
- 5.9 The practices will include all the data protection principles. Certain elements will be emphasised, security of information, data sharing. Reference will be made to the best practice as set out in the Information Commissioner's guidance on data sharing and local arrangements. Where a formal data sharing agreement is in place a copy will be held in a central repository for easy access.

**New processing / systems.**

- 5.10 The requirement to undertake a Data Protection check known as a Data Protection Impact Assessment (DPIA) will be refreshed as will associated record keeping. To support staff on a day-to-day basis, a dedicated SharePoint page on the intra-net will be established.

**Transparency, Individual Rights, and Reporting.**

- 5.11 The Framework reaffirms the Council's commitments. It is timely to review the publication scheme and build upon the work already in place. Accepting of course in certain situations it is not appropriate to release information for instance if it would provide personal information in relation to another individual.
- 5.12 The Framework confirms the Council's high-level commitment to support the rights of individuals to request information and other rights over their data, such as the right to rectification and erasure. Again, this work involves a review of those procedures, to ensure that individuals can exercise those rights as easily as possible. It will include a review of the Council's public webpage.

**Regular reporting.**

- 5.13 This will take the form of the Key indicators as set out in the framework.

**Records Management.**

- 5.14 The Council's Records Retention and Disposal Policy will be reviewed, as will supporting administrative arrangements.

## **6 Options Considered**

- 6.1 Not to implement the Information Governance Framework. However, this is not recommended as compliance with Information Management is a statutory requirement and the framework is intended to ensure that the Council is able to comply with its statutory duties.

## **7 Consultation**

- 7.1 Due to statutory obligations individual consultation is not relevant / appropriate.

## **8 Next Steps – Implementation and Communication**

- 8.1 The Framework will be referred to the next full Council meeting.

## **9 Financial Implications**

- 9.1 There are no financial implications associated with this report.

**Financial Implications reviewed by: David Scott, Assistant Director for Resources**

## **10 Legal and Governance Implications**

- 10.1 Information Management is a legal requirement as set out within the legislation referred to in the body of this report. The Council should ensure that it has policies and procedures in place to mitigate any risks associated with information governance.

**Legal Implications reviewed by: Senior Solicitor**

## **11 Equality and Safeguarding Implications**

- 11.1 There are no equality or safeguarding implications associated with this report.

## **12 Data Protection Implications (Mandatory)**

- 12.1 As set out within the body of this report.

## **13 Community Safety Implications**

- 13.1 None directly related to this report.

## **14 Environmental and Climate Change Implications**

14.1 None directly related to this report.

## **15 Other Implications (where significant)**

15.1 None directly related to this report.

## **16 Risk & Mitigation**

16.1 The process and procedure outlined in this report represents good information practice and accordingly reduces and mitigates corporate risks in this area. The recommendations do not include risks.

## **17 Background Papers**

17.1 None

## **18 Appendices**

18.1 Appendix A – Draft Information Governance Framework