

23 July 2024



## Information Governance Update

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<b>Lead Member/Relevant Portfolio Holder</b>	Councillor Margaret Glancy, Portfolio Holder for Governance, Environment & Regulatory Services (& Deputy Leader)

<b>Corporate Priority:</b>	All
<b>Relevant Ward Member(s):</b>	All
<b>Date of consultation with Ward Member(s):</b>	18 April 2024
<b>Exempt Information:</b>	No

### 1 Summary

1.1 To update the Committee on the Council's information governance position.

### 2 Recommendation

That the Committee:

1. Notes all necessary actions undertaken in relation to information management since the last report.

### 3 Reason for Recommendations

3.1 To update the Committee.

## **4 Background**

- 4.1 Information Management comprises of Data Protection, Freedom of Information and Records Management.
- 4.2 A new Data Protection Regime was introduced into the UK with The General Data Protection Regulation and The Data Protection Act 2018. Following the UK's withdrawal from the European Union, the General Data Protection Regulation was amended to become the UK General Data Protection Regulation.
- 4.3 The Freedom of Information Act 2000 and The Environmental Information Regulations 2004 have been in operation since 2005. In compliance the Council adopted a Requests for Information Policy.
- 4.4 Members will be aware that the Council has been reviewing its information governance arrangements. A report was previously submitted to Committee in September 2023 at which time an Information Governance Framework was approved. This report updates the Committee in respect of this work.

## **5 Main Considerations**

### **Information Governance Framework and Accountability Structure**

- 5.1 The Information Governance Framework was approved by Members.
- 5.2 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. By way of update, the Assistant Director for Governance & Democracy (Monitoring Officer) will now be the Council's Senior Information Risk Owner (SIRO) and the Legal Services Manager (Deputy Monitoring Officer) will be the Data Protection Officer.
- 5.3 The Framework also established a new Information Governance Working Group. The remit of the Group is to consider any relevant issues pertinent to Data Protection, Freedom of Information and Records Management. It considers procedures, practical implementation and specific issues referred to it in relation to Information Management. The group has now met each month since September of last year and has played a key role in revision of the practices and procedures.

### **Review of Procedures**

- 5.4 In conjunction with the working group the following have been reviewed and amended:
- The Freedom of Information and EIR procedures and guidance,
  - The Data Protection Policy and Procedures,
  - The Individual Rights Procedure,
  - The Records Retention and Disposal Policy.
- 5.5 The key changes were, regarding Freedom of Information, a new procedure section was included that reflects the division between the central function and the departments. It endorses best practice, such as documents should not be provided in excel format. A new section was added regarding the Re – use of Public Sector Information Regulations.

- 5.6 New guidance has been incorporated into the Data Protection Procedures to provide guidance on how to securely process data under a number of broad headings.
- 5.7 The data protection procedures provide that personal information should only be accessed on a need-to-know basis. The requirement to undertake a Data Protection check known as a Data Protection Impact Assessment (DPIA) has been refreshed and is now included in the procedures. There are new procedures and guidance on sharing information and overseas transfers.
- 5.8 There has been a revision of the guidance and procedures in respect of both FOI and Subject Access Requests.
- 5.9 The Records Retention and Disposal arrangements have been reviewed. The retention schedule follows national local government guidance. They cover all Council activities and provide guidance on how to securely dispose of information.

A new SharePoint page has been established on the intranet which allows easy access to all procedures and provides key guidance and points of contact. All staff will be required to undertake full training every two years.

### **Transparency, Individual Rights, and Reporting**

- 5.10 The Framework reaffirms The Council's commitment to transparency.
- 5.11 Accordingly, The Council's Publication scheme has been reviewed and published, this supports the Council's commitment to transparency by making information available in relation to how it operates. It links to information on the website. This in turn is supported by the individual request's procedure.
- 5.12 The Framework confirms the Council's high-level commitment to support the rights of individuals. Rights and procedures in respect of rectification and erasure of information have been incorporated into the Council's operational practices.
- 5.13 The Councils Privacy notices have been revised and up-dated versions are now on the website. These set out key details in respect of what information is collected and how it is used, the security applicable and how long the Council will retain it.

### **Regular Reporting**

- 5.14 This will take the form of the Key indicators set out in the framework. This requires annual reporting to Audit Committee on those measures set out in Part 9 of the Framework and, accordingly, that report will be presented to the September meeting.

## **6 Options Considered**

- 6.1 Compliance with Information Management legislation is a statutory requirement and therefore no other options were considered.

## **7 Consultation**

- 7.1 Due to the statutory nature of the provisions individual consultation was not appropriate.

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

- 8.1 As referenced a specific SharePoint page is on the intranet. Further Information Management training is planned.

## **9 Financial Implications**

- 9.1 The work undertaken is within budget.

## **10 Legal and Governance Implications**

- 10.1 There is wide ranging legislation relating to Information Management, much of which is referred to in the body of this report. Compliance with that legislation is mandatory and therefore the Council has no option other than to comply with it. The framework and policies referred to in this report are designed to ensure effective processes are in place to meet these statutory requirements.

**Legal Implications reviewed by: Monitoring Officer.**

## **11 Equality and Safeguarding Implications**

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

## **12 Data Protection Implications**

- 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 processes and procedures outlined in this report represents good information practice and accordingly reduces and mitigates corporate risks in this area.

## **17 Background Papers**

- 17.1 The UK General Data Protection Regulation and the Data Protection Act 2018. The Freedom of Information Act 2000 and The Environmental Information Regulations 2004. The Public Records Acts. Guidance from the Information Commissioners website.