



MEETING: GOVERNANCE COMMITTEE 30 JUNE 2023

SUBJECT: INFORMATION GOVERNANCE IMPROVEMENT UPDATE

JOINT REPORT OF THE CHIEF FIRE OFFICER/CHIEF EXECUTIVE (THE CLERK TO THE AUTHORITY) THE FINANCE DIRECTOR AND THE PERSONNEL ADVISOR TO THE AUTHORITY

1 INTRODUCTION

- 1.1 The purpose of this report is to provide Governance Committee with an overview of issues identified within the Information Governance (IG) function in the last 12 months, and a progress update on the improvement activities undertaken to address these.

2 BACKGROUND

- 2.1 Due to a change in the line manager and some internal assurance activity that was undertaken last year, it became apparent that there was a performance issue that needed to be addressed within the IG function. The issue related to inadequate progress by the previous Information Governance Advisor to complete a range of tasks as well as inadequate record keeping and a lack of transparency.
- 2.2 During September 2022 the Service built a clearer picture of which IG responsibilities had not been completed and which tasks and functions needed to be addressed urgently and in what order. There was also a lack of instructions or guidance available to process regular IG tasks (such as processing Freedom of Information requests), in order to provide confidence and assurance that the Service is complying with its legal duties.
- 2.3 The Service engaged with the Information Commissioner's Office (ICO), initially to confirm a matter of non-compliance that has since been closed, and then subsequently for advice. The ICO has been supportive and helpful in providing general and tailored advice about how to address improvements. The ICO has also confirmed in writing that they currently have no issues of concern with the Service and they are supportive of our approach to improvement.
- 2.4 The internal assurance report was completed in August which helped inform an action plan of immediate improvements and activities that needed to be undertaken. As the previous post holder left the organisation, an urgent,

temporary appointment was made to the post of IG Advisor effective from September 2022. To address the backlog of business as usual tasks and implement administrative systems to ensure short term efficiency and effectiveness the following was implemented:

- logging and processing of Freedom of Information Act requests
- logging and processing Subject Access requests
- logging Image release requests
- logging and assessing data breaches
- backdating of records relating to these requests.

A further process for permanent recruitment into the IG Advisor concluded and was successful in appointing in February 2023

- 2.5 It was clear that the IG related policies and procedures also needed to be reviewed and updated before they could be properly implemented and the related training updated and launched. This resulted in previous training being paused to allow improvements to be implemented.

3 CURRENT POSITION

- 3.1 An immediate review of all Information Governance policies, procedures and guidance is underway and almost complete thus ensuring compliance with the Service policy and procedure guidance, Information Commissioner Officer Guidance and General Data Protection Regulations (GDPR).

- 3.2 The following new policies and procedures were approved and published in January 2023:

- Data Protection and General Data Protection Regulations Policy
- Freedom of Information and Environmental Information Regulations Policy and Procedure
- Data Subject Access Request Policy and Procedure

And in June 2023 a further two were approved and published:

- Digital Information Release Policy and Procedure
- Data Breach Policy and Procedure

- 3.3 The backlog of business as usual tasks and implementation of administrative systems is now completed including - logging and processing of Freedom of Information Act requests; logging and processing Subject Access requests; logging Image release requests; logging and assessing data breaches, alongside the backdating of records relating to these requests.

- 3.4 New Microsoft forms have been created with guidance for users to submit requests for information. These were launched on the Service intranet and

external website January 2023. The use of Power BI has been incorporated into the IG functions to ensure transparency and compliance reporting.

- 3.5 The Information Governance E-Learning package was created and launched to all staff in January 2023, to be completed by end of March 2023. 91% of the workforce has completed the package.
- 3.6 Progress with the improvement action plan continues to be monitored by the Information Governance Task and Finish Group on a weekly basis. The Group is chaired by the ACFO in her role as SIRO.
- 3.7 The Information Governance Advisor is also utilising the online Accountability Tracker published by the Information Commissioner's Office (ICO) to measure our progress towards compliance with the ICO's Accountability Framework ([Accountability Framework | ICO](#)), and this will continue to be monitored by the Task and Finish Group.
- 3.8 Progress will be reported regularly to the Corporate Governance Board, the Service Improvement and Transformation Board and, when requested, to ELT. Progress will also be monitored separately as part of the compliance monitoring of the Fire Standard on Data Management, which encompasses IG as well as broader issues.

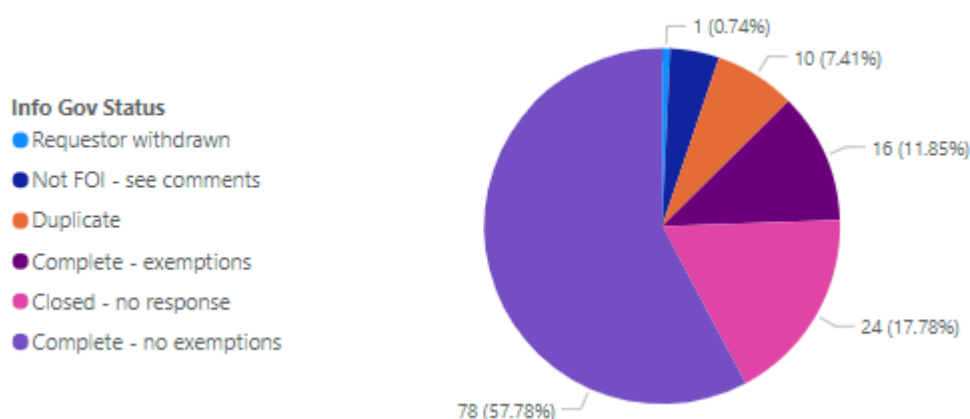
4 INTERNAL AUDIT

- 4.1 Compliance against the GDPR was audited by Sunderland City Council during Q4 2022/23 and a 'Moderate' level of assurance was awarded.
- 4.2 The scope of the audit consisted of:
 - Reviewing the results of compliance checks undertaken by the DPO
 - Ensuring appropriate advice is given in the case of poor compliance
 - Reviewing the action by the DPO to confirm that appropriate action has been implemented by the Service

5 FREEDOM OF INFORMATION REQUESTS

- 5.1 The Freedom of Information Act 2000 provides access to information held by public authorities. It does this in two ways:
 - Public authorities are obliged to publish certain information about their activities; and
 - Members of the public are entitled to request information from public authorities.
- 5.2 During 2022/23 135 requests were received.

FOI Requests by Info Gov Status



94 requests were complete. 68 were completed within 20 working days. All requests received during quarters 3 and 4 have been completed within 20 working day. 43 information requests were not fulfilled. These requests were submitted whilst the previous post holder was in position, upon the new post holder taking up the role, she contacted the individuals / organisations who submitted these requests and they either no longer required the information or did not respond to our follow up contact.

6 SUBJECT ACCESS REQUESTS

- 6.1 The Data Protection Act 2018 allows for right of access to review and verify the lawfulness of the processing of your own personal data.
- 6.2 7 data subject access requests were received all completed within the 30 calendar day timescale.

7 RISK MANAGEMENT

- 7.1 The risks connected with IG are identified, monitored and managed through the departmental Risk Register for the HR Department (as the host department) and the Risk Management and Assurance Database (RMAD).
- 7.2 The extensive monitoring of the progress with the action plan, together with the scheduled Internal Audit work, will provide an ongoing and up to date assessment of the management of IG related risks.
- 7.3 The Information Governance is a complex area of law with significant compliance requirements on public bodies such as the Service. There is an ongoing challenge to try to ensure that the Service employs sufficient staff with sufficient specialist knowledge, and to provide such staff with supervision, support and cover for planned leave. This raises a number of options for the future resourcing and location of the IG function which will need to be considered once the improvement work has reached a suitable stage.

8 FINANCIAL IMPLICATIONS

8.1 There are no financial implications in respect of this report.

9 EQUALITY AND FAIRNESS IMPLICATIONS

9.1 There are no equality and fairness implications in respect of this report.

10 HEALTH AND SAFETY IMPLICATIONS

10.1 There are no health and safety implications in respect of this report.

11 RECOMMENDATIONS

11.1 The Authority is recommended to:

- a) Endorse the contents of this report
- b) Receive further reports as appropriate.

BACKGROUND PAPERS

The under mentioned Background Papers refer to the subject matter of the above report:

