
Audit & Governance Committee

Report of the Director of Customer & Business Support Services

Update on Information Governance including Local Government Transparency Code 2015 – June 2016

Background

1. This report provides Members with :

- An update on the Information Commissioners Office (ICO) audit;
- A compliance update report on the Transparency Code 2015
- Information on the current consultation by the Department for Communities and Local Government (DCLG) on changes to the Local Government Transparency Code (LGTC) 2015

Update on ICO audit

2. From previous Committee reports on the ICO audit, we have now reached the end of the audit process.
3. The council's full response and progress on the 90 recommendations made by the ICO auditors is at Annex 1.
4. The ICO's follow up conclusions are shown in the table below

Scope area	Number of recommendations in each scope area from the original audit report	Number of actions complete, partially complete and not implemented.
Records Management	41	13 Complete 27 Partially complete 1 Not implemented
Subject Access Requests	25	6 Complete 19 Partially complete 0 Not implemented
Data Sharing	24	12 Complete 12 Partially complete 0 Not implemented

5. A summary of the follow up audit findings and actions for the council are set out below :
 - The council has partially completed the majority of recommendations made by the ICO. Whilst it is disappointing that more recommendations were not fully completed within the timescales, the partially completed recommendations will be completed in the next 3 months.
 - Senior management recently approved a new project management approach that incorporates privacy impact assessments.
 - The council introduced a tracing system to ensure that services actively manage the whereabouts of records retrieved from storage.
 - The completion of the review of the records management policy is to be prioritised to allow other recommendations in that scope area to be fully completed.
 - The completion of the review of the subject access request process is to be prioritised to allow other recommendations in that scope area to be fully completed.
6. The ICO does not publish their follow up reports or an executive summary; however they do publish a statement that the follow up has been completed. You can find this statement at <https://ico.org.uk/action-weve-taken/audits-advisory-visits-and-overview-reports/city-of-york-council-follow-up/>
7. However, you will find the full follow up report at Annex 2.
8. We did agree to the publication of the ICO's full audit executive summary previously and this can be found at <https://ico.org.uk/action-weve-taken/audits-advisory-visits-and-overview-reports/city-of-york-council/>

Compliance update on the Local Government Transparency Code 2015

9. The LGTC 2015, is issued to meet the government's desire to place more power into citizens' hands to increase democratic accountability. You can find the DCLG's full document at

<https://www.gov.uk/government/publications/local-government-transparency-code-2015>
10. The council meets its requirements by publishing information on either the relevant website pages or through the York Open Data platform. The link to the LGTC 2015 information on the YOD platform is

<https://www.yorkopendata.org/>
11. The council's own compliance monitoring is currently underway and is due to be completed by week ending 17th June 2016. Therefore a full compliance report will be made available to this Committee after that date.
12. However to provide an interim compliance report (see Annex 3) and reassurance, I can report the outstanding areas for senior salaries and pay multiple have been impacted following the investigation into a potential data breach, and the subsequent agreed actions. The information is now being collated for publication and this will be in line with the monitoring timescale.

Current consultation by the DCLG on changes to the Local Government Transparency Code 2015

13. The government is proposing updating the LGTC 2015 and the full consultation document is available at the below link and at Annex 4.

<https://www.gov.uk/government/consultations/strengthening-local-government-transparency>
14. Any changes will require secondary legislation to revoke the existing code and put a new updated code in place.
15. The consultation is open to everyone and closes on 8th July 2016.

Consultation

16. Not relevant for the purpose of this report.

Options

17. Not relevant for the purpose of this report.

Analysis

18. Not relevant for the purpose of this report.

Council Plan

19. The council's information governance framework offers assurance to its customers, employees, contractors, partners and other stakeholders that all information, including confidential and personal information, is dealt with in accordance with legislation and regulations and its confidentiality, integrity and availability is appropriately protected.

Implications

20. There are no implications to this report in relation to:-

- Financial
- Human Resources (HR)
- Equalities
- Legal
- Crime and Disorder
- Information & Communications Technology (ICT)
- Property
- Other

Risk Management

21. The council may face financial and reputational risks if the information it holds is not managed and protected effectively. For example, the ICO can impose civil monetary penalties up to £500k for serious data security breaches (this may be increased following the signing of the General Data Protection Regulation (GDPR)). The failure to identify and manage information risks may diminish the council's overall effectiveness. Individual(s) may be at risk of committing criminal offences. For example, under section 55 and/or section 61 of the Data Protection Act (DPA) 1998

Recommendations

22. Members are asked to consider and note the contents of this report and annexes.

Reason: To ensure that Members are kept updated on matters in respect of information governance

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Report
Approved



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Wards Affected: Not applicable

All

For further information contact the author of this report.

Annexes

Annex 1 – Full response and progress report on ICO recommendations

Annex 2 – ICO's follow up

Annex 3 - Local Government Transparency Code 2015 report

Annex 4 – Strengthening Local Government Transparency consultation document