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## **Audit and Governance Committee**

15 February 2010

Report of the Assistant Director of Resources (Customer Service & Governance)

### **Draft Information Governance Policy & Strategy**

#### **Summary**

1. To consult with the Audit & Governance Committee on the proposed framework for improving Information Governance arrangements in the council as laid down in the draft policy and strategy documents attached at Annex A and Annex B to this report.

#### **Background**

2. A comprehensive policy and strategy has been developed covering all aspects of Information Governance in the council (IG Framework). The draft IG Framework has been developed to incorporate the core measures identified in the Government's Data Handling review and the HMG Security Framework. Certain serious data loss incidents in the last two years have led to the Cabinet Office and the Local Government Association to provide detailed advice on data security and information management arrangements. Government has also prepared its "Code of Connection" governing the exchange of data between public authorities, obliging the council to make particular improvements in respect of data handling.
3. It is intended that, within the IG Framework, all the council's policies, protocols and guidance notes relating to IG can be developed in a way that is both comprehensive and complementary to each other. It will address the overall management and development of IG arrangements at a corporate, managerial and operational level across the council. The objective of the Framework will be to set out how the council will improve its information security by establishing:
  - core measures to protect personal data and other information across the council;
  - a culture that properly values, protects and uses information;
  - stronger accountability mechanisms within the council; and
  - stronger scrutiny of performance.

4. Information Governance can be categorised into four main strands as follows:
- (a) **Information Security**  
This considers the adequacy of the council's arrangements for protecting personal and sensitive data in accordance with the principles of the Data Protection Act 1998 and guidance issued by the Information Commissioner's Office (ICO).
  - (b) **Compliance with Legislation**  
This considers the legal framework, "constitutional" arrangements and operational standards that need to be established to ensure that data and information management throughout the council is conducted within the relevant legislative parameters (e.g. Data Protection, FOI). Once the overall IG Framework has been approved, feedback will be obtained from baselining work, to be undertaken by Veritau auditors, to assess the degree to which the directorates, and their service areas, are complying with the principles detailed within the IG Framework.
  - (c) **Information Quality**  
This set of requirements covers the need to ensure the quality, accuracy, currency and other characteristics of information, which is held, used or issued.
  - (d) **Records Management**  
This is the process of creating, describing, using, storing, archiving and disposing of records according to a pre-defined set of standards.

### **Consultation**

5. Consultation on these draft documents is currently in progress, wide-ranging and includes key officers with a specialist interest in the subject areas covered by the Policy and Strategy, together with all Directorate Management Teams. All feedback will be considered in revising the documents for review and approval by the Executive.

### **Options**

6. Not relevant for the purpose of the report.

### **Analysis**

7. Not relevant for the purpose of the report.

## Corporate Priorities

8. This report contributes to the overall effectiveness of the council's governance and assurance arrangements contributing to an 'Effective Organisation'.

## Implications

9.
  - (a) **Financial** – See paragraph 9 below.
  - (b) **Human Resources (HR)** - There are no implications.
  - (c) **Equalities** - There are no implications.
  - (d) **Legal** – See paragraph 9 below.
  - (e) **Crime and Disorder** - There are no implications.
  - (f) **Information Technology (IT)** - There are no implications.
  - (g) **Property** - There are no implications.

## Risk Management

10. The council will fail to properly comply with legislative and best practice requirements to provide for the proper management of its information. There are new fines and audit powers to help organisations focus on data protection law. The Information Commissioner's Office's powers have previously been modest but, from April 2010, it will have the power to fine organisations up to a max of £500,000 for serious breaches of the Data Protection Act. This means that information security is now a financial and reputational risk.

## Recommendations

11. Members are asked to consider and comment on the content of the draft documents in Annex A and Annex B ;

### Reason

*To ensure future arrangements adequately manage the council's information governance risks.*

## Contact Details

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Report Approved



Date 2 February 2010

## Specialist Implications Officers

Wards Affected: Not applicable

All

For further information please contact the author of the report

### Background Papers:

*HMG Security Policy Framework (SPF) Security Policy No.2 Protective Marking and Asset Control* Cabinet Office, undated

[http://www.cabinetoffice.gov.uk/spf/sp2\\_pmac.aspx](http://www.cabinetoffice.gov.uk/spf/sp2_pmac.aspx)

*Local Government data handling guidelines* Local Government Association (LGA) November 2008 <http://www.idea.gov.uk/idk/aio/9048091>

*Code Of Practice on The Management of Records by Public Authorities* Ministry of Justice, revised 2009 (the "S46 code") <http://www.justice.gov.uk/guidance/foi-guidance-codes-practice.htm>

*The Re-Use of Public Sector Information Regulations ("ROPSI") (Statutory Instrument 2005 No. 1515)* Office of Public Sector Information, 2005 <http://www.opsi.gov.uk/si/si2005/20051515>

*Public Sector Data Sharing: guidance on the law* Dept for Constitutional Affairs November 2003 <http://www.dca.gov.uk/foi/sharing/toolkit/lawguide.htm>

## Annexes

Annex A Draft Information Governance Policy  
Annex B Draft Information Governance Strategy