

Report of:	Meeting	Date
Corporate Director Resources (Section 151 Officer)	Audit Committee	15 November 2022

ANNUAL REVIEW OF THE COUNCIL'S INFORMATION GOVERNANCE POLICIES AND PROCEDURES – DATA PROTECTION POLICY AND PROCEDURE, RECORDS MANAGEMENT POLICY AND SUBJECT ACCESS REQUEST PROCEDURE

1. Purpose of report

1.1 Approval of the council's information governance policies and procedures, namely:

- Data Protection Policy and Procedure;
- Records Management Policy, and;
- Subject Access Request Procedure.

2. Outcomes

2.1 The ability to demonstrate that the council has robust data governance arrangements in place that are designed to establish a set of rules and procedures, ensuring data accuracy, reliability, compliance and security.

3. Recommendation

3.1 Members are asked to approve the revised policies and procedures detailed at paragraph 1.1.

4. Background

4.1 The goal of a robust information governance framework is to make all council information (information assets) available when needed, hold it in a safe location, while reducing storage costs, ensuring compliance to external legislation and internal policy and procedures. There are many benefits of having an effective information governance framework in place, however the main benefits are as follows:

- assist in making data consistent;
- improves data quality;
- assists with data accuracy, ensuring it's fit for purpose;
- improves business planning and decision making; and
- reduces the chances of a serious data incident.

- 4.2** Information governance polices are also important because they provide a framework to staff to ensure that all information is dealt with consistently legally, securely, efficiently and effectively.
- 4.3** The Audit Committee’s Terms of Reference (Part 2 Article 7), states they are to receive updates and reports from the Head of Governance and Business Support (Data Protection Officer) and to approve policies in relation to cyber security and compliance to the Data Protection Act as well as Regulations made under the Act; namely the UK GDPR. In addition, the committee’s work programme allows for an annual review of all policies named at paragraph 1.1.

5. Key Issues and proposals

- 5.1** The council’s Data Protection Policy was last reviewed by the Audit Committee in November 2021. The policy has had a number of changes which have been tracked throughout the document. Once approved, this policy will be made available to the public via the council’s website.
- 5.2** The Records Management Policy has never previously been presented to the Audit Committee for formal approval. It was last refreshed in 2012 prior to the General Data Protection Regulations which came into force on 25 May 2018. Therefore, the previous policy required a fundamental review and rewrite. There are no track changes to this document. This policy is only available to council officers on the HUB under the information governance section.
- 5.3** The Subject Access Request Procedures have never previously been presented to the Audit Committee for approval. Whilst the Information Commissioner’s Office (ICO) and the Data Protection Act 2018 and UK GDPR instructs on the handling of SAR’s, the council has in addition produced internal guidance to assist officers in the administration of these. This guidance is only available to council officers on the HUB under the information governance section.
- 5.4** The draft policies for approval can be found at Appendices 1, 2 and 3.

Financial and legal implications	
Finance	There are no specific financial implications arising from the adoption of these information governance policies.
Legal	The council’s information governance policies assist the council in complying with a number of external regulations in relation to data protection, records management and meeting the rights of data subjects.

Other risks / implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	X
equality and diversity	X
sustainability	X
health and safety	X

risks/implications	✓ / x
asset management	X
climate change	X
ICT	✓
Data protection	✓

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018

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List of background papers:

name of document	date	where available for inspection
None		

List of appendices

Appendix 1 – Data Protection Policy and Procedures

Appendix 2 – Records Management Policy

Appendix 3 – Subject Access Request Procedure