

Report of:	Meeting	Date
Corporate Director Resources (Section 151 Officer)	Audit and Standards Committee	14 November 2023

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:

- to assist in making data consistent;
- to improve data quality;
- to assist with data accuracy, ensuring it's fit for purpose;
- to improve business planning and decision making; and
- to reduce the chance of a serious data incident.

- 4.2** Information governance policies 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 and Standards 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 2022. The policy has had a number of changes which have been tracked throughout the document, namely:
- A new paragraph has been inserted at 11.2 to reflect the current review being carried out to identify the council's use of alternative systems e.g. WhatsApp for processing business / personal data.
 - Additional bullet points have been added to 12.2 to reflect the roll out of laptops and docking stations across the organisation and the security of these mobile devices.
 - Paragraphs 13.4 and 13.5 have been amended to remove the requirement for both the Data Protection Officer and the Legal Services Manager to sign off information sharing protocols / agreements.
 - Paragraphs 15.2 and 18 have been amended to reflect the recently amalgamated Audit and Standards Committees.
 - Paragraph 15.8 has been amended to make clear that Data Protection (DP) training for Elected Members is mandatory, as it is for staff and that only council systems must be used for processing council data.
 - Paragraph 16.2 has been amended to reflect the requirements stipulated in the Information Governance Training Programme in respect of the completion of mandatory e-learning on DP and Cyber Security.
- 5.2** The Records Management Policy was last reviewed by the Audit Committee in November 2022. The policy has been updated at Paragraph 6.3 to reflect the current review being carried out to identify the council's use of alternative systems e.g. WhatsApp for processing business / personal data. In addition, minor amendments have been made at Paragraphs 7.5 and 16.1 to refer to the recently amalgamated Audit and Standards Committees.
- 5.3** The Subject Access Request Procedure was last reviewed by the Audit Committee in November 2022. This internal guidance is in addition to the Information Commissioner's Office (ICO) and the Data Protection Act 2018 and UK GDPR guidance regarding the handling of SAR's, and should be read in conjunction with any such instruction. There have been

no changes made to this procedure since its last review.

- 5.4** The draft policies with tracked changes (where applicable) 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		
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List of appendices

Appendix 1 – Data Protection Policy and Procedures

Appendix 2 – Records Management Policy

Appendix 3 – Subject Access Request Procedure