

NORTH LINCOLNSHIRE COUNCIL

AUDIT COMMITTEE

ANNUAL INFORMATION GOVERNANCE UPDATE

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To provide the Audit Committee with an annual position statement on the council's Information Governance arrangements.
- 1.2 The key points are:
 - The council is required by law to comply with a range of information related requirements.
 - Further developments have taken place over the last 12 months to strengthen the council's approach to information governance. Details are set out in the report together with the findings from internal and external assessments.

2. BACKGROUND INFORMATION

- 2.1 An assurance report is presented to the Audit Committee each year to provide an update on the council's Information Governance arrangements and compliance.
- 2.2 The council has a legal obligation to comply with information legislation, notably the General Data Protection Regulation (GDPR)/Data Protection Act 2018, Freedom of Information Act and the Environmental Information Regulations. Collectively we refer to these requirements as "Information Governance".
- 2.3 An Information Governance Framework comprising a series of policy schedules sets out how the council will comply with legislation and good practice. Its implementation is led and overseen by the Data Protection Officer.
- 2.4 The council is committed to the ongoing strengthening of its Information Governance arrangements and continues to strive to meet the standards set by both internal audit and external assessments, with a high standard of compliance evidenced.
- 2.5 Key developments and assurance highlights over the last 12 months included:

- The annual Information Governance Self-Assessment, necessary for accessing health information, was completed and accepted by the NHS.
- An Internal Audit review of the council's approach to Freedom of Information concluded with a "satisfactory assurance" opinion.
- The information governance framework was reviewed and updated to align it with changes in legislation and professional good practice.
- Training for employees on Information Governance requirements, including new provisions under GDPR, was rolled out to all employees.
- Compliance with national IT security standards was maintained and externally certified with no serious IT breaches occurring.

2.6 During the last 12 months there have been eleven referrals from the Information Commissioner's Office (ICO) about how the council responded to requests for information or protected personal information. This number is within the normal reporting level as seen in previous years. In addition the council self-reported two issues to the ICO. The findings were as follows:

- In six cases the ICO supported the council's approach and position on the reported issues
- In one instance the ICO issued a Decision Notice supporting the action the council had taken
- In two cases the ICO issued Decision Notices with recommendations for the council to take further action
- In respect of the two self-reported issues, the ICO supported the council's approach and required no further action
- As at July 2019 we are awaiting a response from the ICO on three cases

2.7 In the 2018 annual report to the Audit Committee it was explained that at that time the council had appealed to the First Tier Tribunal in respect of an ICO Decision Notice. The council was successful in its appeal with the Tribunal Judge granting an order requiring the ICO to amend the Decision Notice and withdraw its instructions.

2.8 Further continued strengthening of the council's information governance arrangements will be made over the next 12 months through an action planning based approach.

3. OPTIONS FOR CONSIDERATION

3.1 As set out overleaf.

4. **ANALYSIS OF OPTIONS**

4.1 **Option 1** – The Audit Committee agrees that the current position provides sufficient assurance in our approach to Information Governance.

4.2 **Option 2** – The Audit Committee considers the current position is not sufficient and requests that additional work is undertaken.

5. **FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)**

5.1 Not applicable.

5.2 An integrated impact assessment is not required for this report.

6. **OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)**

6.1 There are no other relevant implications.

7. **OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)**

7.1 An integrated impact assessment is not required for this report.

8. **OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED**

8.1 There are no consultations or conflicts of interests to report.

9. **RECOMMENDATIONS**

9.1 The Audit Committee should consider whether the report provides sufficient assurance of the adequacy of the council's Information Governance arrangements.

DIRECTOR: GOVERNANCE AND PARTNERSHIPS

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Background Papers used in the preparation of this report – None