Agenda Item

CAMBRIDGE CITY COUNCIL

REPORT OF: Information Governance Manager/DPO

TO: Civic Affairs Committee September 2019

WARDS: All

FREEDOM OF INFORMATION, DATA PROTECTION AND TRANSPARENCY: ANNUAL REPORT 2018/19

1 INTRODUCTION

1.1 This report provides Civic Affairs Committee with an annual report on performance and activity during 2018/19 on transparency issues, including: data protection; requests for information under Freedom of Information (FOI) and Environmental Information Regulations (EIR). In addition the report covers snap shots of projects the council is addressing in line with the Data Protection Act (DPA) and General Data Protection Regulations (GDPR) 2018 Regulations.

2. RECOMMENDATIONS

2.1 The Council needs to review the Data Protection Act and General Data Protection Regulations 2018 to ensure they align with current processes and procedures.

3. INFORMATION GOVERNANCE FRAMEWORK

3.1 Information Governance describes the holistic approach to managing information by implementing processes, roles and metrics to transform information into business assets. The purpose of the (IG) framework is to establish how the council will approach Information Governance. Information is a vital asset and needs to be managed securely by the council. Appropriate policies, guidance, accountability and structures must be in place to manage the council's information legally, securely and effectively in order to minimise risk to the public and staff and to protect its finances and assets. The IG Strategy and Framework describes the Council's approach to meeting its statutory

duties in relation to information governance, data protection and confidentiality.

4.0 DATA PROTECTION

4.1 The Data Protection Act 2018 is the UK's implementation of the General Data Protection Regulations (GDPR). Data protection is primarily concerned with personal data about individuals rather than general information. The council has a diverse range of people services which relates to a significant volume of data. As service delivery evolves in the way the council is delivering its services this will have great impact on information governance arrangements. The council's challenge under the Data Protection Act 2018 is incorporating a streamlined process in relation to individual rights. These include the right to:

- Be informed about how your data is being used
- Access to personal data
- Have incorrect data updated
- Have data erased
- Stop or restrict the processing of your data
- Data portability (allowing you to get and ruse your data for different services)
- Object to how your data is processed in certain circumstances

5.0 PROJECTS AND NEW INITIATIVES

5.1 All new projects are required to complete a Data Protection Impact Assessment (DPIA), this is mandatory under the General Data Protection Regulations (GDPR). The Council is aware of the new initiative and DPIAs are currently undertaken, but the process needs to be reviewed to ensure (DPIA) is done as part of the initial phase of a project to ensure risks are identified and taken into account before the problems become embedded in the design and causes higher costs due to making changes at a later stage.

6.0 POLICIES

6.1 A policy data base has been established to track the status of policies and flag up when they are due for review. The data base Protocol Policy specialises in ICT policies.

6.2 The Senior Information Risk Owner (SIRO) reviewed the policies at the Information Security Group meeting (ISG). The policies below have now been approved and shared with all staff groups:

- Acceptable User policy
- Information Security policy

6.3 A number of further policies will need to be reviewed to align with the General Data Protection Regulations (GDPR).

7.0 CYBER SECURITY/INFORMATION SECURITY

7.1 The Council has continued to invest and develop further protection in Cyber and Information Security across a number of services over the past year. To achieve this council intends to attain Cyber Essentials Plus introduced by the UK government that aims to provide organisations with common Internet – based threats.

8.0 FREEDOM OF INFORMATION

8.1 Published statistics have shown that nationally the number and complexity of Freedom of Information requests submitted to Local Authorities remains high and overall the amount of time consumed in administering the requests continues to increase. The Council continues to mirror the national picture with the volume of requests increasing.

8.2 Performance is monitored bi weekly and discussed in team meetings on how the Council can achieve 85% target set by the Information Commissioners Office (ICO).

8.3 However as request numbers continue to increase this places a greater challenge to remain compliant within statutory deadline of 20 working days.

8.4 The Council needs to develop and implement a process to publish a selection of questions and answers under Freedom of Information to potentially negate duplicate requests. In doing so, requesters can be referred to the website rather than responding to a request already published, therefore saving staff time and resources.

9.0 TRAINING

9.1 To ensure organisational compliance with the law and relevant guidance relating to Information Governance (IG), staff must receive appropriate training. Therefore, bi-annual IG training should be made mandatory for all staff. Staff IG training needs will be routinely assessed, monitored and adequately provided for. All new starters who manage confidential information,

including councillors are expected to undertake bi-annual training on handling confidential information. The training covers data security, breaches and incidents, and General Data Protection Regulations (GDPR). Completion of the training will be sufficient evidence of basic information governance training to handle confidential information. Ideally, the council should develop an (IG) training programme to establish a clear plan for (IG) tailored to specific staff groups or job roles. The plan will address how and when each staff group will be trained.

10.0 PERFORMANCE *(refer to appendices (A-D)*

10.1 Appendix B shows there has been year on year increase in the number of FOI request since 2013/2014 financial (reporting) year. To understand this more, for the year 2018/19 (April – March) the council received a total of 913 requests under FOI and EIR, representing a 3.8% increase in the number of requests received in the previous year. The number of requests received each year, has had a direct impact on the compliance response timeframe. As the numbers of requests have increased, the compliance timeframe has fallen short. This can also be explained by many factors and variables within the delivery of services. For example, during the same period, there have been fewer resources in dealing with requests compared to previous years. It is also important to note that the ICO target changed in 2016/2017 year to 90 from previously 85. Although this does not have a different effect on day to day activities, it does show an overall picture of shortfall in meeting the targets for services given. Appendix D shows the numbers and the percentages per service. In this appendix, there are four departments (environmental, planning, housing and revenues & benefits) with significant requests. Environmental services scores higher for example compared to other services. Again, this could be as a result of different factors pertaining to information or campaigns received from main stream media and social media. Appendix D highlights subject access as a predominant area of requests as it relates to information the council holds pertaining to Individuals.

CONSULTATIONS

Senior managers have been consulted in the production of this report.

CONCLUSIONS

The Council takes transparency issues seriously and is broadly compliant with the legislation. A number of measures have been put in place to increase the Council's performance in these areas, and to reduce the risk of breaches in compliance with the legislation.

Officers will continue to review practice, learning from 3C ICT partners and others to strive to continually improve performance, serve residents better and reduce the council's exposure to risk.

IMPLICATIONS

(a) **Financial Implications**
No decisions with financial implications are proposed in this report.

(b) **Staffing Implications**
Staff will continue to be supported to understand and meet their obligations regarding transparency issues, including through the roll-out of the new FoI tracking software.

(c) **Equality and Poverty Implications**
This report does not propose decisions with equalities impacts, so and EqIA has not been produced.

(d) **Environmental Implications**
No decisions with environmental implications are proposed in this report.

(e) **Procurement**
n/a

(f) **Consultation and communication**
As set in the body of the report, the need for vigilance and training on data protection and related matters has been communicated to managers and staff regularly.

(g) **Community Safety**
n/a

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:
n/a

APPENDICES

Appendix A Service Analysis to include service response time

Appendix B Number of requests received by Cambridge City Council/ percentage of FOI responses responded to within 20 working days

Appendix C Number of requests received / percentage of requests received by Cambridge City Council

Appendix D Personal data and complaints handling

The author and contact officer for queries on the report is Information Governance Manager/DPO

Report file:

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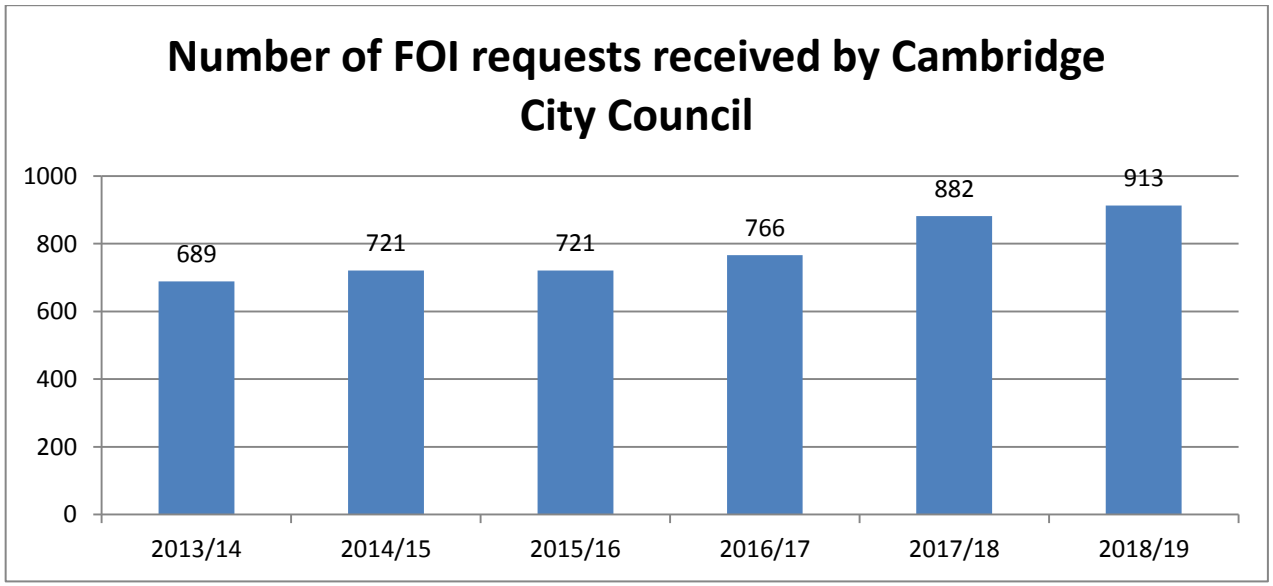
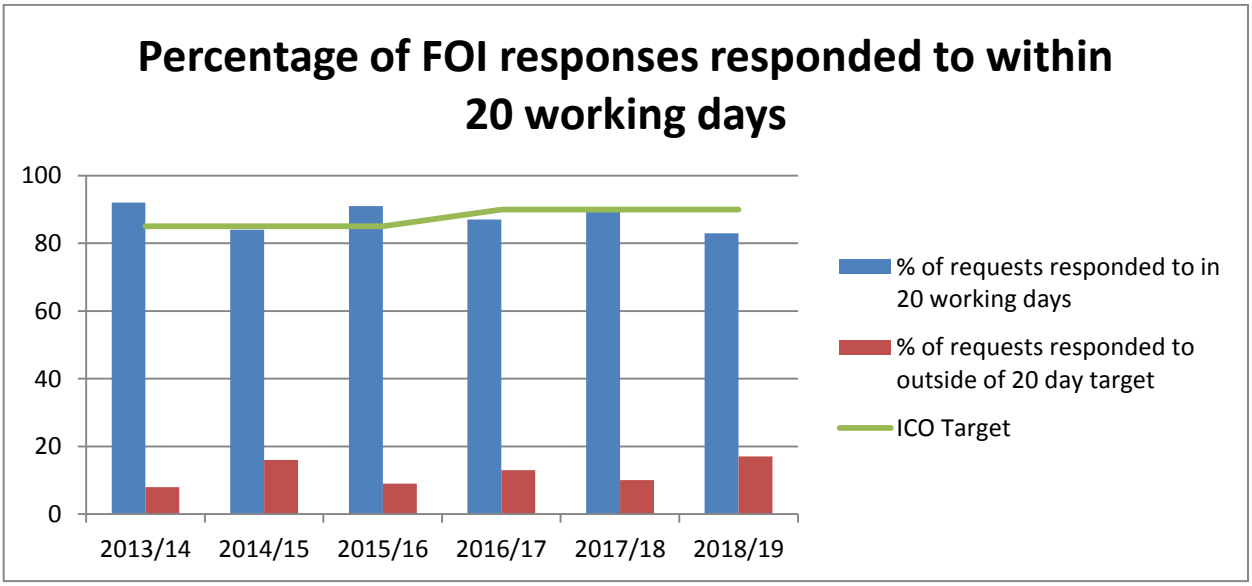
Appendix A

Service	Code	Received	Within 20 working days	% Within 20 working days	Average response time (working days)
Building Control	3CSS	2	1	50	21.5
ICT	3CSS	158	120	80	16.9
Waste	2CSS	9	6	67	19.9
Legal	3CSS	8	3	38	21.4
CEX	CCC	2	2	100	8.5
Commercial Services	CCC	45	38	84	11.1
Community Services	CCC	29	28	97	9.0
Corporate Strategy	CCC	43	29	67	14.6
Environmental Services	CCC	215	186	87	14.1
Estates & Facilities	CCC	22	12	55	22.9
Finance	CCC	37	31	84	14.6
Housing Development Agencies	CCC	4	4	100	25.3
Housing Services	CCC	60	54	90	14.4
HR	CCC	25	18	72	18.2
Planning	CCC	135	116	86	14.5
Property Services	CCC	14	10	71	22.6
Revenues & Benefits	CCC	93	86	92	12.7
Transformation Office	CCC	1	1	100	11.0
Various		19	10	53	30.2
		913	755	83	15.2

Appendix B

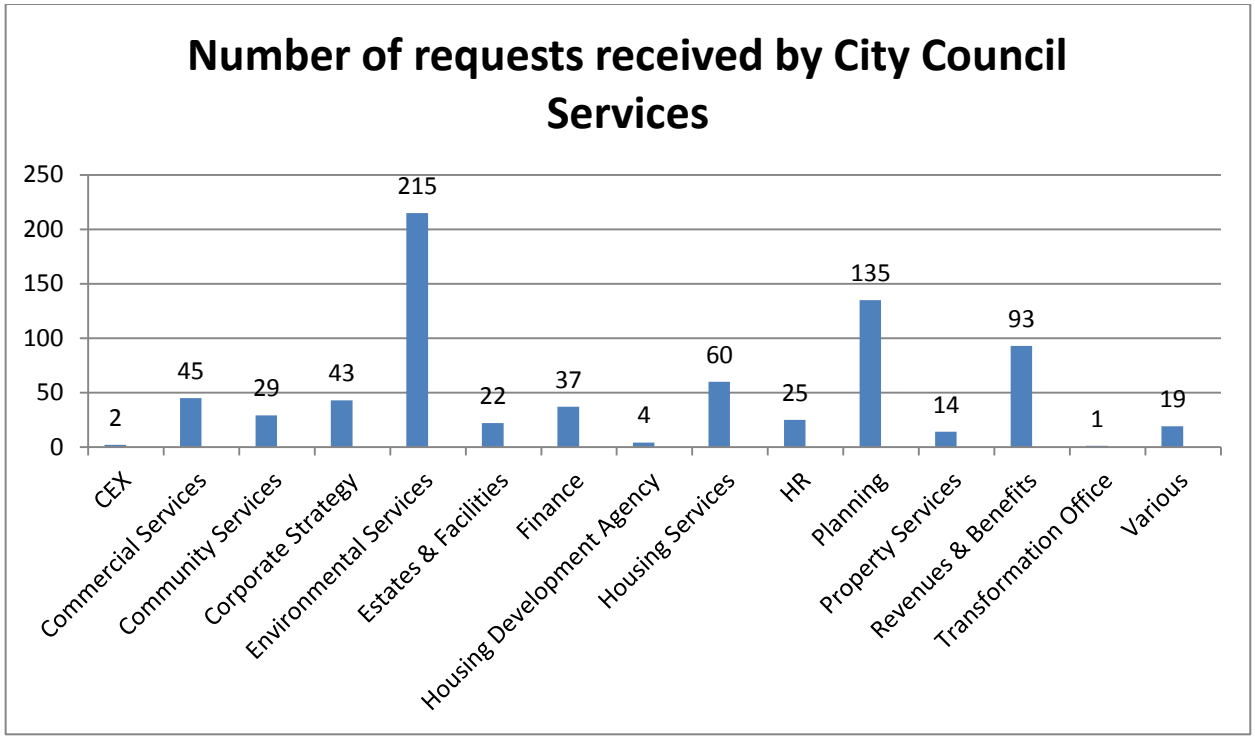
Year	Number of requests	% of requests responded to in 20 working days	% of requests responded to outside of 20 day target	ICO Target
2013/14	689	92	8	85
2014/15	721	84	16	85
2015/16	721	91	9	85
2016/17	766	87	13	90
2017/18	882	90	10	90
2018/19	913	83	17	90

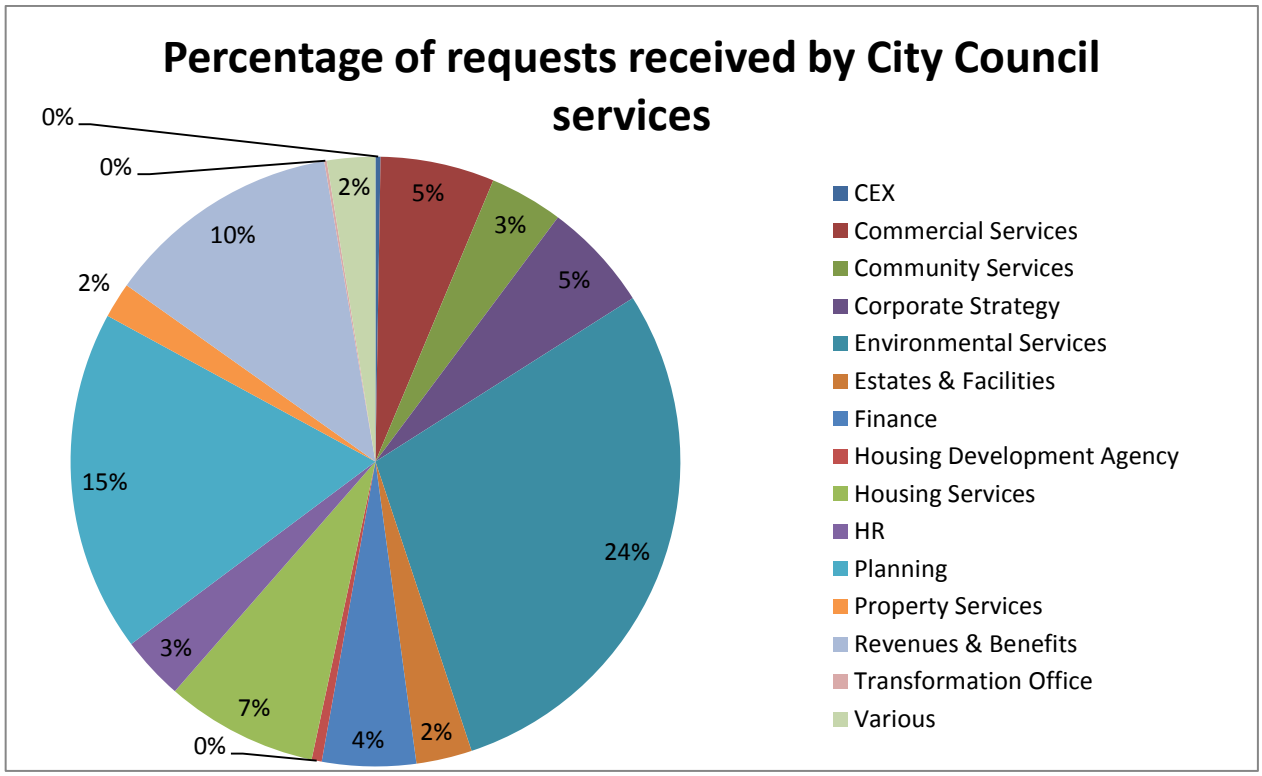


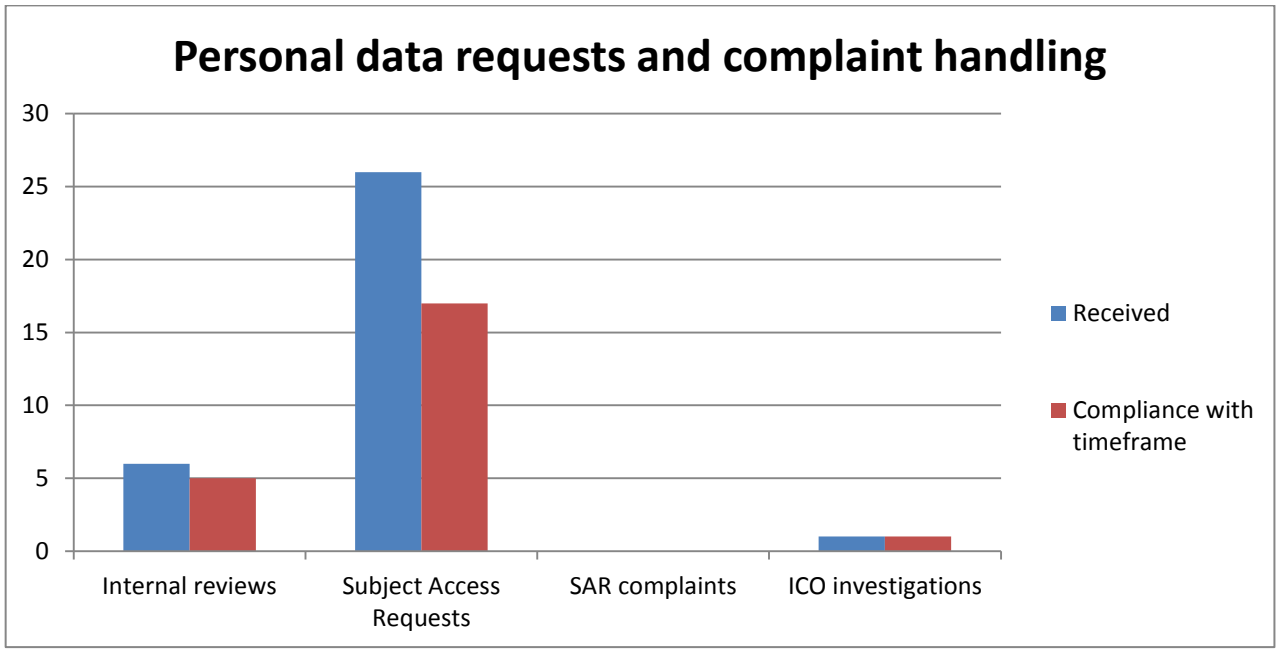


Appendix C

	Number of requests	Percentage of requests
3CSS Building Control	2	0%
3CSS ICT	150	16%
2CSS Waste	9	1%
3CSS Legal	8	1%
CEX	2	0%
Commercial Services	45	5%
Community Services	29	3%
Corporate Strategy	43	5%
Environmental Services	215	24%
Estates & Facilities	22	2%
Finance	37	4%
Housing Development Agency	4	0%
Housing Services	60	7%
HR	25	3%
Planning	135	15%
Property Services	14	2%
Revenues & Benefits	93	10%
Transformation Office	1	0%
Various	19	2%
	913	


Number of requests received by City Council Services
250
200
150
100
50
0
2
45
29
43
215
22
37
4
60
25
135
14
93
1
19
CEX
Commercial Services
Community Services
Corporate Strategy
Environmental Services
Estates & Facilities
Finance
Housing Development Agency
Housing Services
HR
Planning
Property Services
Revenues & Benefits
Transformation Office
Various


Percentage of requests received by City Council services
0%
0%
2%
5%
3%
5%
10%
2%
15%
24%
3%
7%
0%
4%
2%
CEX
Commercial Services
Community Services
Corporate Strategy
Environmental Services
Estates & Facilities
Finance
Housing Development Agency
Housing Services
HR
Planning
Property Services
Revenues & Benefits
Transformation Office
Various

Appendix D

Other Requests		
	Received	Compliance with timeframe
Internal reviews	6	5
Subject Access Requests	26	17
SAR complaints	0	
ICO investigations	1	1