

EAST HERTS COUNCIL

CORPORATE BUSINESS SCRUTINY COMMITTEE – 2 JULY 2013

REPORT BY HEAD OF INFORMATION, CUSTOMER AND PARKING SERVICES

7. DATA PROTECTION AND INFORMATION SECURITY UPDATE

WARD(S) AFFECTED: ALL

Purpose/Summary of Report:

- To update the Committee on the implementation of the Council's Data Protection Action Plan.
- To invite the Committee to comment on progress to date.
- To invite the Committee to identify additional actions that might be taken to progress the Council's data protection compliance programme.

RECOMMENDATIONS FOR DECISION: That:

(A)	The implementation of the Council's Data Protection Action Plan be endorsed, and;
(B)	The Executive be advised of any recommendations.

1.0 Background

1.1 An independent audit of the Council's data protection (DP) arrangements was undertaken during 2012/13. This culminated in the adoption of an Information Security Policy Framework and Data Protection Action Plan. Both were scrutinised by Corporate Business Scrutiny Committee on 19 March 2013. It was agreed that this Committee would take a strategic oversight role in respect of their implementation and of the Council's data protection compliance arrangements.

2.0 Report

2.1 The audit recommended actions to enhance staff understanding and compliance with DP procedures across the council.

Immediate action was started (e.g. with the creation of a robust DP governance structure) and it was agreed that a risk-based approach would be pursued in respect of the remainder.

2.2 A one year post of 'Data Protection Compliance Officer' was created with effect from April 2013. This Officer has three primary roles:

- to review and where necessary develop a coherent suite of DP policies based on the Information Security Policy Framework (**Essential Reference Paper 'B'**).
- to support services in their implementation of systems and local training and to mainstream DP compliance.
- to monitor follow up of implementation of service-based DP action plans

2.3 An overview of the structures and processes to be followed during this initial year is offered as **Essential Reference Paper 'C'**. While some DP policies have been in place for several years, all will benefit from a refresh, review and simplification. It may also be helpful to clarify the two related but distinct strands of policy and operational guidance.

2.4 Further progress has already been made in a number of areas:

- In the area of 'records management' policies covering the areas of exchange and sharing of information and document retention are in an advanced state of preparation.
- In the area of 'user polices', a policy on use of social media has been prepared and work is underway to revise polices in the areas of email and internet use.

2.4 The 'security of the computing environment' is a specialist area; accordingly Members have agreed that most policy development will take place under the auspices of the ICT shared service project group. Once these policies have been created the Information Team will assist with their assimilation into the business processes of council departments.

2.5 In the Member area, a guidance document has been prepared as agreed and will be issued to all Members. Training has been delivered to key Members as identified in the Scrutiny report on 19 March 2013. Guidance has been placed on the Member

extranet and has been augmented by links to authoritative sources such as the Information Commissioner's Office and Local Government Association.

3.0 Service Based Data Protection Action Plans

3.1.1 As well as leading to the adoption of a corporate action plan, the audit referred to in 1.1 (above) generated sixteen service-specific action plans. Over the course of 2013/14 services' implementation of these will be progressed. To date implementation review meetings have taken place with the following services:

- Hertford Theatre
- IT Services
- Environmental Services
- Leisure Services
- Parking Services

3.1.2 Unsurprisingly services are at different stages in the implementation of their action plan. Ongoing liaison between the Information Team and services will be important in driving this work forward.

4.0 Local Training and Procedures

4.1 For a DP culture to permeate the organisation all staff (and in particular Heads of Service) must acknowledge and take ownership of their individual responsibilities. The ability of Officers to do so will be assisted by the revision of DP policies as identified in 2.2 (above). Accordingly, as they are developed and approved, these policies will be made more accessible and operational guidance will be created in parallel.

4.2 Heads of Service are required to undertake an annual risk assessment of their DP compliance. This process will differentiate between high level risks which will be managed through the Corporate Risk Register and lower level risk which should be managed at a service level. DP risk assessments will be incorporated in the annual Service Plan.

4.3 Current barriers to the effective completion of these DP risk assessments are being addressed. These include streamlining the existing DP risk assessment process by creating a tailored e-form. It is hoped this will make the process more accessible; however the DP governance bodies will continue have an important role to

play in ensuring these risk assessments are undertaken and used as a trigger for local action.

5.0 Additional Progress

5.1 The Officer Operational Risk Management Group is to be reconstituted and refreshed and a member of the Information Team will sit on the Group. The purpose of the Group in terms of DP compliance will be to;

- assist with the scoring and proposed actions arising from individual services' risk assessments
- assist with the identification of key/corporate DP risks which should be managed through the corporate risk register
- help ensure a uniform approach to risk assessment methodology across the council.

5.2 Work is also being undertaken to revise the Council's public facing information in respect of data protection. In particular, rights in respect of subject access and freedom of information are to be more clearly expressed (and related to each other) and the inquiry process made more straightforward and structured.

6.0 Implications/Consultations

6.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

Minutes of the Corporate Business Scrutiny Committee on 19 March 2013.

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