

**Report of Director of Resources and Housing
Report to Corporate Governance and Audit Committee**

Date: 22nd March 2019

Subject: Annual Information Governance Report

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

1. Considerable progress has been made this year to resolve security issues. The Council regained its PSN certificate in June 2018. Work is on-going to ensure compliance, working towards re-submission for 2019 certification
2. The council continues to handle and process requests for information compliant with appropriate legislation such as the General Data Protection Regulation / Data Protection Act and Freedom of Information Act. A central requests team is now in place responsible for handling all requests for information.
3. Freedom of Information response times fell below the Council's Key Performance Indicator (KPI) of 96% in the third quarter of 2018-2019. The Council's KPI is higher than the regulatory requirement of 90%, therefore no enforcement action will be taken against the Council.

Recommendations

Corporate Governance and Audit Committee is asked to consider the contents of this report and the assurance provided as to the Council's overall approach to information governance.

1. Purpose of this report

To provide Corporate Governance and Audit Committee with an annual report on the steps being taken to maintain and improve Leeds City Council's information governance in order to provide assurance for the annual governance statement.

2. Background information

- 2.1 Leeds City Council recognises the need to protect its information assets from both accidental and malicious loss and damage. Information Governance is taken very seriously by the council and this is evidenced by the on-going work to improve the management and security of our information as outlined in this report.
- 2.2 The report provides Committee Members with an update on the more strategic and cross-council activity on-going to provide assurance on our approach to information governance.

3. Main issues

3.1 Overall arrangements for Information Management and Governance (IM&G) Assurance

- 3.1.1 The Council, in line with recommended practice for public authorities in the UK, continues to provide demonstrable arrangements which ensure that information assurance is addressed along with other aspects of information governance.
- 3.1.2 The Director of Resources and Housing continues in the role of Senior Information Risk Officer (SIRO). The Head of Information Management and Governance meets monthly with the SIRO to keep him up to date and also has active support regarding high risk matters. The SIRO is supported by the Chief Digital and Information Officer who has delegated decision making powers for information governance. The Chief Digital and Information Officer chairs the Council's Information Management Board (IMB) which ensures good standard information management practice is embedded into business processes, and information standards and policy are fit for purpose and kept up to date. Decisions made by the Chief Digital and Information Officer at the Information Management Board are effectively communicated across each Directorate through the Information Management and Governance Team.
- 3.1.3 The Director for Adult Social Care and Public Health is the Council's Caldicott Guardian. This is a strategic role responsible for protecting the confidentiality of patient and service-user information and enabling appropriate information sharing across Health and Social Care. Meetings are held with the Caldicott Guardian on a monthly basis to give updates on information sharing arrangements between health and social care partners, staff training and any high risk matters.
- 3.1.4 The Council's Head of Information Management is the Council's Data Protection Officer (DPO). The General Data Protection Regulations (GDPR) requires the council, as a public authority, to designate a Data Protection Officer. The main tasks of the DPO are: to inform and advise the council of its obligations under GDPR when processing personal data; to monitor compliance with the GDPR; to provide advice where requested, particularly, with regards to data protection impact assessments and other high risk processing activities; and to act as the contact point with the supervisory authority (the Information Commissioners Office (ICO)).

The Head of Information Management and Governance also oversees the effective underpinning of the Council's operations in the following areas:

- Cyber Assurance and Compliance
- Information Access and Compliance
- Records Management
- Change and Initiatives

3.1.5 Each of the Information Governance leads have developed work programmes, which are monitored and managed through the IM&G Management Team and in turn the Chief Digital and Information Officer.

3.2 Cyber Assurance and Compliance

3.2.1 The Public Services Network (PSN) was set up as an assured route for information sharing by central Government to facilitate shared services. It acts as a compliance regime that serves as both a commitment to a basic level of information security for connecting authorities and also a level of trust between Leeds City Council and other public services.

3.2.2 Following a period of re-prioritised work and commitment from all services, the Council achieved re-certification for PSN in July of 2018. The Council will retain this certification for twelve months with the resubmission due in June 2019. PSN accreditation was awarded in 2018 with the assurance that the Council will remove Access databases running on 2003 by December 2019. Corporate Governance and Audit Committee are monitoring the progress of this separately and is therefore not documented in this report.

3.2.5 Governance for IT Security and Information Assurance is now managed by the Information Security, Assurance and Compliance (ISAaC) group, which concentrates on technical information risk. This group meets six-weekly and addresses the programmes of work in place to improve compliance to the PSN standard, including the output from the IT Health Check (ITHC) and GDPR.

3.2.6 The ITHC in November 2018 highlighted a much smaller number of issues than previous years on a sample of the network. Due to the lower volumes of vulnerabilities the Digital and Information Service is now able to focus on assessing the root cause of issues. Improvements to process are being implemented operationally and the adoption of virtualised teams is supporting this work. This moves the maturity of the organisation forward, allowing more focus on resolving long-standing issues.

3.2.7 The windows server estate is being maintained above 90% (which comprises of the bulk of the estate) which is an acceptable level for the PSN regulators.

3.2.8 There are, however, pieces of work yet to complete, which will further strengthen the security posture of the technical environment:

- Some of our systems have a dependency on additional pieces of software. An example of this is Java. Not all elements of each version are secure. The

Digital and Information Service is working to bring all versions of Java to a compliant and secure state before June 2019

- Mobile Device Management – Upgrades to the majority of compatible mobile devices has been completed. A number of devices are too old to accept the upgraded controls. Replacements for these devices will be funded centrally and roll-out completed throughout 2019/2020 fiscal year.
- Network Segmentation / Authentication – The network access control product, which prevents unauthorised devices from getting on to the network, has been deployed within the Leeds City Council environment. It has to date scanned 98% of the estate and it is expected this work will complete in March 2019. Once all classification work is complete; systems can be set up to prevent unknown devices entering the network, thus ensuring only known and trusted devices are able to access Leeds City Council information. Phase two of the project will require network segmentation, which will provide a place for devices not meeting the agreed criteria to be brought into compliance before allowing them on the main network.
- External Supplier access management software (Bomgar) has been implemented to better control access from third parties to our on premise applications. This prevents unauthorised changes to the estate which had been identified as a weakness.
- Active Directory management remains a large piece of work in maintaining the role based access control structure, providing people with the correct rights and ability to see the correct information. Active Directory management software will be procured to assist in this ongoing task.
- The vulnerability management software, SureCloud, has allowed operational teams to monitor our own compliance prior to the externally assured IT Health Check. This means we are better prepared for the audit. The scanning capability will continue to be a useful tool in maintaining compliance.

3.2.9 Due to the re-prioritisation of workloads, the ISAaC group and new ways of working, Information Management and Governance remains hopeful that LCC will maintain the required standard for PSN compliance in July 2019.

3.3 Information Access and Compliance

GDPR and the DPA 2018

3.3.1 As from May last year, there is a new data protection framework in place which consists of the General Data Protection Regulation and the Data Protection Act 2018 (DPA 2018). The DPA 2018 replaces the Data Protection Act 1998 and supplements the GDPR. It has a number of functions including implementing the EU Law Enforcement Directive, which applies to processing of personal data for law enforcement purposes, and setting out the duties, functions and regulatory tools of the regulator, the Information Commissioner's Office. The new data protection framework builds upon the principles contained within the Data Protection Act 1998 with a greater emphasis on fairness, transparency, and accountability. It provides

the ICO with enhanced regulatory tools which include the power to impose fines on data controllers who infringe the GDPR of up to 20 million euros in some cases with other infringements resulting in a maximum fine of 10 million euros. This two tier fine system represents a significant increase from the previous DPA under which the maximum liability was £500,000.

- 3.3.2 A strategic working group was formed in August 2016 to scope out the work required for the Council to meet the compliance requirements set out in the GDPR and this working group became the Strategic Implementation Board (SIB), which reported into the Information Management Board from September 2017.
- 3.3.3 To help address the size and complexity of this work programme, a GDPR Implementation Team was established in August 2017 and this team was in place until January of this year. The team's key responsibilities were: 1) to project manage and co-ordinate all the activities, outputs, and interdependencies of the work streams (see below); 2) to work with work stream leads to develop the content for the GDPR Implementation Guide (see below) and to oversee the roll out of this guide; 3) to support the GDPR Service Leads (see below) with implementation; and 4) to ensure that the governance and reporting arrangements for a project of this size were adhered to.
- 3.3.4 The first stage of the Council's implementation strategy focused on scoping out 9 technical work streams initiated to define the objectives and outputs required to achieve compliance with the relevant articles in the GDPR and to ensure that appropriate policies, procedures and guidance were updated or created. The 9 technical work streams were as follows:
 - a. **Demonstrating compliance** - requirement for the Council to be able to demonstrate how it meets the principles contained within the GDPR.
 - b. **Security of processing** – requirement to implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk.
 - c. **Security incident management** – requirement to notify the ICO of personal data breaches, without undue delay, and where feasible within 72 hours of becoming aware of it unless the breach is unlikely to result in risk to the data subject.
 - d. **Data Protection by design and default** – requirement to carry out data protection impact assessments (previously known as privacy impact assessments) whenever the Council is using new technologies, and the processing is likely to result in a high risk to the rights and freedoms of individuals.
 - e. **Contractual arrangements with data controllers / processors** – direct obligations on data processors for the first time and new requirements to be followed when using data processors.
 - f. **Individuals' rights** - key rights include the right of access (similar to the previous rules for subject access requests); the right to restrict processing; the right to object; the right to rectification; and the right to erasure / be forgotten.
 - g. **Lawfulness, fairness and transparency** – requirement to have a legal basis for processing personal data with the threshold to utilize consent being higher than the previous DPA; and to provide further information within privacy notices than was previously stipulated.

h. **Storage limitation**

- i. **Accuracy and data quality** – requirements around data minimisation and accuracy including ensuring that inaccurate data is erased or rectified without delay.

Each of these 9 technical work streams was led by a member of the IM&G Service.

3.3.5 Critical to the success of the implementation programme was the role of the GDPR Service Leads whose key responsibilities were to:

- a. support the GDPR implementation team by driving the GDPR agenda within service areas including the dissemination of key messages;
- b. ensure that existing processing arrangements and systems were GDPR compliant and, where required, make the necessary changes including the implementation of appropriate technical and organisational measures proportionate to the risks involved;
- c. assist with the embedding of new GDPR related policies and procedures across the council; and
- d. report progress on implementation against key milestones to the GDPR implementation team including the reporting of risks and issues as they emerge.

GDPR Service Leads were appointed across the Council.

3.3.6 The second stage of the Council's implementation strategy centred on the roll out of the implementation tools, created within the 9 technical work streams referred to above, to the business in the form of the GDPR Implementation Guide ("the Guide"). This Guide has been disseminated at regular intervals since February 2018 to the 58 GDPR Service Leads appointed across the authority. A total of 8 editions of the GDPR implementation Guide have been rolled out containing the following tools:

- a. Record of Processing Activities forms (for each of the Council's delegated functions);
- b. Briefing note on consent;
- c. Revised data protection policy;
- d. New information assurance policy;
- e. Review of privacy notices utilising the privacy notice generator tool to make such notices GDPR compliant;
- f. New procedures on managing and investigating security incidents including personal data breaches;
- g. New procedures for exercising individuals' rights
- h. New Data Protection Impact Assessment template and accompanying guidance;
- i. Review of the Council's corporate retention schedule;

- j. Communications for dissemination to raise awareness including posters and one minute guides (these are available to everyone via InSite. Elected Members have been provided with tailored guidance);
- k. Q&A style tool to assist officers dealing with requests from elected Members to disclose information;
- l. Guidance for managers on the procedures to follow when staff move or leave the authority;
- m. Review of DPA related content on Leeds.gov.uk;
- n. Revised contractual documentation including updated service specifications and new terms and conditions;
- o. Guidance on the use of bcc and cc in email;
- p. Briefing note on Law Enforcement processing;
- q. Questionnaire relating to the corporate Shared Network Drives project;
- r. Questionnaire relating to international transfers of personal data;
- s. Guidance note for staff regarding temporary storage of electronic records.

3.3.7 The third stage of the implementation strategy concerned the monitoring of compliance with the tasks contained within the GDPR Implementation Guide via the self-assurance tool provided. The Corporate Leadership Team was provided with regular updates as to the progress of the GDPR programme of work and monthly updates on the tasks contained within the Guide were provided to all members of Best Council Leadership Team and all Chief Officers. As at the time of writing this report, the completion rate stands at 09.5% and GDPR Service Leads are being supported to complete the outstanding tasks.

3.3.8 The Corporate Governance and Audit Committee on 16th March 2018, made the following recommendations to the Head of Information Management and Governance:

- Members queried if there was further training to be delivered around cyber resilience and also the requirements of GDPR.
- Members queried what the position was in respect of training for Members and Officers, the Committee were informed that a variety of training delivery methods were currently been considered including: face to face, web presentation and E-learning training packages.
- Members of the Committee were of the view that training should be mandatory for both Members and Officers and undertook to recommend to the Member Management Committee that training arrangements for cyber resilience and GDPR be established as compulsory for Members.”

The IM&G Service have since worked closely with Member Support to ensure that Members understand the new framework and the implications for their various roles. To support Members with this, the IM&G Service and Legal Services put together a suite of template documents for Members to utilise: a record of processing activities, a data protection policy, a privacy notice and an appropriate policy document. A paper asking Members to endorse this pack of documents was taken to Member Management Committee in June of last year and subsequently a

Members' GDPR working group was established comprising of Members from across the political parties and the GDPR implementation team. The working group met on several occasions and worked together to produce a number of documents that all Members can adopt and use as data controllers. There is also support to produce records management and retention guidance for Members, and to bring all the materials together into a central IG Resource Guide which will be released to Members in March 2019. The materials for Members will be kept up to date by the IM&G Service in line with any new requirements or guidance produced by the IM&G Service or the Information Commissioners Office.

- 3.3.9 The IM&G Service has also created an IG e-learning platform specifically for Members; created with input from Members, Legal Services and the group support offices. The Member Management Committee confirmed that this e-learning is mandatory for all Members on the 22nd November 2018. This training was released via PALs on 4th February 2019, with additional instruction on how to log into PALs. Communications have been developed and are currently waiting for ratification prior to circulation to all Members. Member Management Committee also agreed that Members would complete the training on each occasion they are re-elected to office, and whilst this can vary, would be no longer than every four years. Compliance would be monitored by the Whips.
- 3.3.10 The GDPR implementation project has now finished as the work contained within has transferred to business as usual although the role of the GDPR Service Leads will continue until all outstanding tasks contained within with the Guide have been completed.

Information Requests

- 3.3.11 Information legislation provides rights for citizens in relation to information held by the council. Under the Freedom of Information Act ("the FOIA") and the Environmental Information Regulations 2004 ("the EIRs"), citizens have a right to request information held by a public organisation, such as the council, and unless an exemption / exception applies the council is generally under a duty to provide this information within twenty working days of receiving a request. The GDPR provides individuals with a number of rights including the right of access; right to rectification; right to restrict processing; right to erasure and right to object. The Council must comply with requests exercising such rights within one month of receipt although there is provision to extend this by a further two months taking into account the complexity and number of the requests.
- 3.3.12 The need to be able to locate and retrieve information is essential both to enable the council to operate effectively and efficiently and to respond to information requests within the statutory timescales prescribed. The risk to the council of non-compliance with information legislation includes complaints / legal claims from individuals and potential regulatory action from the ICO. Forms of regulatory action available to the ICO in relation to the FOIA include the issuing of a range of notices (assessment, information, enforcement and decision); undertakings; monitoring compliance; and prosecution in relation to the criminal offences contained within the FOIA. Monitoring is an informal regulatory power which can be evoked by the ICO if it appears that less than 90% of requests are receiving a response within the statutory timeframe. The GDPR and the DPA 2018 provide the ICO with enhanced regulatory tools which include the issuing of notices (information, assessment, enforcement and penalty); the power to issue warnings, reprimands, compliance orders and processing bans; and to prosecute for the criminal offences contained within the legislation

3.3.13 Following a recent restructure of the IM&G Service, there is now a central requests team in place responsible for handling all requests for information made pursuant to the FOIA/EIRs and the GDPR. At the time of writing this report, this team is in its infancy as requests have gradually been transferred from the three IM&G Hubs to the central requests team. It is envisaged that the formation of this team will provide sufficient capacity to respond to the increase in individuals' rights engendered by the GDPR; drive efficiencies; and allow for consistency and harmonisation as to how information requests are handled.

3.3.14 The table below sets out the numbers of requests received and handled by the council for both the DPA 1998 (and GDPR post May 2018) and FOIA during 2016-17, 2017-18 and figures to date for 2018/19.

	2016/17	% compliance to statutory timescale	2017/18	% compliance to statutory timescale	2018/19 Note these figures include the new rights under GDPR	% compliance to statutory timescale
DPA / GDPR – subject access requests & new rights requests post May 2018	470	96.5 (Council KPI – 86%)	590	97 (Council KPI – 88%)	566 (to Nov 2018)	92 (Council KPI – 88%)
FOIA & EIRs requests	2137	97.5 (Council KPI – 95%)	2009	97.9 (Council KPI – 96%)	1660 (to Nov 2018)	93 (Council KPI – 96%)

3.3.15 The Council has its own KPIs for compliance with the statutory timescales which are included in the table above. As the table illustrates, the Council continues to perform well and is currently exceeding the KPIs for this financial year in relation to requests relating to the rights requests under GDPR.

3.3.16 It is acknowledged that the Council's performance for responding to FOIs / EIRs was, as at December 2018, slightly lower than the KPI threshold. The reasoning behind this is twofold: a 49% increase in the number of subject access requests received following the implementation of the GDPR / DPA 2018 and delays encountered with some services in sending through the information required to respond to the requests to the IM&G Service. It should be noted that the time frame for responding to subject access requests has also changed from 40 calendar days to one month. On average, responding to a social care related subject access request requires reviewing, and redacting where necessary, 844 pages. Notwithstanding this, the introduction of the central requests team will enable better use of resources within the IM&G service and provide more cover to help with peaks in requests and when officers are on annual leave. Furthermore, a 'one minute guide' is being prepared to send out to the business to remind officers of their statutory obligations when responding to a FOIA / EIR request.

3.3.17 Regarding the Access and Compliance professional strand of IM&G, the Committee can be fully assured that every effort has been taken to prepare for and implement

the new data protection framework and this work programme has been commended by CLT and the Council's SIRO. The introduction of a central requests team to handle all information requests should provide for greater resilience in handling the large numbers of information requests the Council receives and enable the process to be streamlined to generate efficiencies and provide greater harmonisation.

3.4 **Records Management**

- 3.4.1 The Council continues to make good progress against the phased project plan to implement the Information Asset Register (IAR) and raising awareness of the role of Information Asset Owners (IAO's) council wide.
- 3.4.2 As previously reported phase one of the plan is completed and all Directorates have identified their assets, nominated IAOs at a Head of Service level and this information is published on the IAR.
- 3.4.3 Work on phase two to embed the role of the Information Asset Owner is now progressing well, despite a shortage of Records Management resource for a period of 2018/19. The methodology for implementing the Information Asset Register and the role of the Information Asset Owners was approved by the Information Management Board and was subsequently launched at a themed CLT workshop opened by the Council's Senior Information Risk Officer (SIRO), Neil Evans late April 2018. This event also focused on the wider importance of records management and its importance to ensuring compliance with the General Data Protection Regulations (GDPR) and make people aware of their roles and responsibilities in relation to managing information.
- 3.4.4 Records Managers are now working with their respective directorate IAOs to help analyse their information assets and also identify associated risks which will feed into the council's wider risk management process. To date the Records Managers have worked with 25% of the 150 Asset Owners to identify their assets and commence subsequent analysis. The deadline for the completion of this work is December 2019 and progress is monitored by the Information Management Board.
- 3.4.5 The Records Management Team also continue to monitor their annual work plan and aspire to improve and ensure consistency of records management approaches across the whole organisation and maintain compliance with the Data Protection Act/GDPR. Work has been undertaken to prioritise this work to ensure high risk areas are conducted first.
- 3.4.6 Key priorities identified last year have all been progressing well as detailed below:
- a. **To ensure that all records are managed effectively as part of the Changing the Workplace (CtW) programme in line with designated methodologies;** All Information Audits were conducted for all services that have been or are subject to a CtW move to ascertain paper storage requirements and recommendations for future paper storage made. All phase 1 moves were successful.

A series of further office moves have now been announced as part of the asset rationalisation programme which the Records Managers are now supporting;
 - b. **Ensure consistency in the management of employee records across the council to ensure compliance with the DPA principles;** Following a discovery project a project brief has been presented to the BCLT determining the scope of a "Managing Employee Records" project. A project sponsor has

also been nominated. The project is now awaiting a project manager to be assigned;

- c. Ensure that all scanning and digitisation provision by the scanning framework is effectively monitored, justified and co-ordinated;** The team have led on and co-ordinated further scanning and digitisation projects in 2018/19 all justified in terms of ensuring compliance with the GDPR, enabling asset release and generating efficiency savings using the council's approved scanning framework including the digitisation of the council's pension records.

There are a number of further scanning projects currently being progressed within the City and Communities area including bridges and Highways.

- d. To cleanse the data and reduce the storage on our existing network drives and mitigate the risk of breaching DPA principles; Discovery and cleanse;** A corporate project has been initiated and is ongoing to cleanse the council's network drives by 60%. Phase 1 will focus on the removal of non business related records and phase 2 due to commence in June 2019 will focus on business related items which have passed retention. It is intended that this project will help us understand the issues and complexities we have with managing our data and ensuring compliance.

- e. Improve Paper Records management to enable effective management, tracking movement and destruction of paper records owned by LCC and reduce unnecessary storage costs;** Over the summer period the Records Management team completed a second project that focused on improving the management of the paper records identified as 'high risk' as part of the Changing the Workplace (CtW) programme as well as data quality relating to "high risk" adults and children's service records. As a result thousands of paper records have again been sent for destruction or were organised for appropriate storage in line with the council's records management policy and the Data Protection Act.

- Adults, Children's and Health – 13,658 e records were checked and matched against physical records. As a result 6,913 records were identified for destruction and 6,094 records have the correct destruction date assigned.
- Middleton Technical Team – Emptying of H Block and Middleton to enable CTW move city centre. 1000 Highways reports scanned. 1430 cost reports reviewed for scanning, disposal and archive, 400 Geotechnical schemes to reviewed for scanning and archive, 5 x 4 draw filing cabinets of unknown mining records reviewed and disposed of.
- Middleton Planning Team – Sifted in excess of 20,000 planning applications in readiness for scanning to free up space at Barkston House;
- Markets – In readiness for the asset release of these offices, files scanned and prepared for archive including: 1.5 linear metres Contract out records to scan, label and store to Qube. 63 legal agreements to scan, catalogue / dispose and deliver to Legal. 11 archive boxes and 2 filing cabinets .5 linear meters to cross check, archive or dispose.
- HR – Over 200 boxes, containing 12,500 personal files were sorted and weeded to remove all unnecessary items. 30 boxes of schools leavers files were sorted and weeded and moved to Westland Road from Restore (off contract spend);

- Horsforth Housing Office – In readiness for asset release 3,000 cancelled applications were reviewed, 12 drawers of files scanned into line of business solution, 29 boxes of files archived and 130 boxes extracted from external storage provider and appropriately sorted;
- Property and Contracts - 14,500 electrical certificates stored in cabinets have been checked for data quality against the e record and prepared in readiness for scanning. Once scanned over 20 linear metres of storage space will be cleared;
- Commercial Asset Management – 15 linear metre of files stored at Navigation House were scanned to enable the team who have relocated to Merrion House access their records digitally.

Funding has also been approved to replace the various record management databases to enable a cohesive and compliant approach. The product is currently in development and a large scale data quality exercise is ongoing to cleanse the data held in the existing systems around file types and retention as well as conducting destructions on records which have passed retention that still remain in the system before any information is migrated.

f. Raise awareness of Records Management across the council to ensure staff are aware of their roles and responsibilities in relation to the management of information; Awareness raising amongst Information Asset Owners is incorporated into the Information Asset project. In addition to this work to raise awareness across the wider organisation remains ongoing. Training material was included in the latest version of the IG e learning package and the team are preparing a records management session for elected members late March 2019.

g. Development of the Council's Retention Schedule; The ongoing work to develop the Information Asset Register and role of Information Asset Owners includes the examination of retention periods. Historically the council's retention schedules have been published in PDF format on the Council's Intranet site. The presentation of retention schedules has been simplified this year and the new look retention schedules were launched in April 2018 and published on Insite. The review of the retention schedules is now in its final stages. The GDPR Service leads have been reviewing their entries which have been challenged by the Records Managers (78% response rate to date). Completed retention schedules are now being forwarded to Legal Services for approval.

3.4.7 The Records Management Plan was reviewed and updated in April 2018 and again December 2018 to reflect the changes in legislation and any organisational changes. Work has also been completed to prioritise the plan.

3.4.8 With regards to Records Management the Committee can be assured that the Information Management and Governance Team continue to provide a reasonable level of assurance that processes and procedures are in place and delivering data protection compliance in this regard. Plans are in place to ensure continuous improvement as documented.

3.5 Change and Initiatives

3.5.1 The Change and Initiatives Team are working to a programme of work that aspires to improve how and when information governance is implemented and embedded across Leeds City Council, through a series of initiatives, in collaboration with

services across the council and in collaboration with partners from across the wider local region. Last year's report informed Committee about a series of Information Governance frameworks developed to proactively deliver information compliance and governance into a range of programmes and projects. This includes ensuring that colleagues delivering the smart cities agenda have effective IG tools to ensure consideration is provided to internet of things devices not being intrusive when installed across the city. The team has worked closely with the Transgender Project to design appropriate IG checks are undertaken discreetly to ensure the council complies with the Gender Reassignment Act 2004. Subject to acquiring capital funding, a new information governance tool is to be developed to support assessing information governance compliance to business intelligence generated by use of the council's new Power BI tool. This is still in planning stage, but the anticipation is that such a tool will allow for a quick assessment to provide information compliance assurance around the manipulation and extraction of council data for intelligence purposes.

- 3.5.2 Members of the Change and Initiatives Team are leading on specific projects to ensure the council can share information with Health and other public authorities. NHS Digital launched a new Data Security and Protection Toolkit in 2018/19, which the council is obliged to complete and self-assess against in order for Adult Social Care and Public Health to be able to share and process Health data. This toolkit replaces the previous Information Governance Toolkit and a new process and storage system for presenting evidence has been designed and implemented. At the time of writing this report the council is on track to meet the submission deadline of 31st March 2019. Team members are also examining the implications of Part Five of the Digital Economy Act 2017, which was enacted to assist public authorities to make better use of their resources through information sharing that targets public services more effectively towards those who need them.
- 3.5.3 The Change and Initiatives Team are representing the council on a regional programme to rationalise and standardise an approach to information sharing across the Yorkshire and Humber region. The Information Sharing Gateway (ISG) is an online portal that brings together a number of stages that support effective information sharing. Leeds City Council together with North Yorkshire County Council are coordinating actions to enlist public authorities from local government; health; police and fire and rescue sectors, in order to bring about a standardised and simplified approach to information sharing across the region. Funding has been assured to the project through the Yorkshire and Humber Partnership Management Board to 30th November 2018, and discussions have begun with the Yorkshire and Humber LHCRE (Local Health and Care Record Exemplars) programme to secure funding into 2020. The Information Management and Governance Team within the council adopted use of the ISG in 2018 and this platform is being used throughout the council for its information sharing agreements. This platform provides the council's Senior Information Risk Owner with immediate assurances about the council's current information sharing activities, and records information sharing agreements in one single repository for auditing requirements.
- 3.5.4 Priority areas within the Change and Initiatives work plan also include:-
- a. Continued lead to provide information governance advice to the City's Personal Healthcare Record (HELM) pilot. The aim of the initiative is to enable citizens to hold and manage medical information about themselves, in a safe, secure and governed space. An initial pilot is trialling 15 volunteers to manage their own personal medical data, using data extractions from three of

the city's GP practices and success is being monitored ahead of expanding this further;

- b. The council has implemented a new guidance for providing assurance around the management of information arrangements of staff leaving the council and those staff moving across the council. A communications programme has been developed to ensure managers are aware of, and use the new guidance and monitoring of take-up will be undertaken during 2019;
- c. New IG e-Learning solution for councillors has been developed for use by the council's elected Members. The training solution has been designed to allow councillors to understand their responsibilities for processing personal data and to help them mitigate against the risk of an information incident;
- d. All council staff designated as computer users completed the mandatory IG e-Learning training in 2019. This provides the council with necessary assurances that its workforce has a basic understanding about individual responsibilities for processing its information assets. A start will be made on updating this training ready for rollout across staff in 2020;
- e. The development of a Discovery and Cleanse tool designed to identify and report on all information stored on the council's network shared drives (and with the ability to automatically cleanse some selected material) was completed at the end of 2018. Use of this tool is now being deployed in the council's Network Shared Drives Cleanse project, which aims to reduce the amount of files currently stored on shared drives by 60%. This will allow the council to demonstrate compliance with GDPR Principle Five on Storage Limitation.

3.5.5 In previous years this report has articulated the council's intention to implement the European Union INSPIRE directive. In the Summer of 2018, the council invited SOCITM to provide a consultative report into how it should provision future geo-spatial information initiatives. Consultants were asked to consider future implementation of INSPIRE data sets as part of the scope of this report. The conclusion in the report by SOCITM is that "INSPIRE is an initiative that is unlikely to be a priority after BREXIT and has been downplayed". The report concluded that "whilst INSPIRE has very laudable principles at its heart, the implementation rules on which it is based were drafted in the early 2000's and technology has moved on to such an extent that many aspects make very little sense today". "It is also unclear whether the INSPIRE initiative will survive our divorce from the European Union and certainly unlikely to be high priority for politicians over the next few years".

3.5.6 The report recommended that council efforts to publish more open data should prioritise supporting Data Mill North in preference to achieving INSPIRE compliance. This recommendation was endorsed by the council's Information Management Board.

3.5.7 The Change and Initiatives Team are providing information governance advice and support to the Applications Portfolio Programme set up to ensure council applications are compliant with GDPR and Data Protection legislation following work undertaken by the GDPR implementation Article 32 Working Group. The programme team will be in place for three years, and a dedicated IG resource is in place to provide technical information management advice and guidance to ensure all current and future council applications comply to the GDPR and Data Protection legislation.

- 3.5.8 Throughout 2018/19 the Change and Initiatives Team provided information governance support to other organisations bringing income into the Digital and Information Service. This included sales to other organisations of our IG e-Learning product; GDPR presentations to external organisations such as the city's schools, and classroom based training to West Yorkshire Joint Services.
- 3.5.9 The Change and Initiatives Team are committed and dedicated to the development of products and solutions to ensure the council remains compliant with information governance related legislation, standards and regulations, and to promote the expertise and experience of the Information Management and Governance service to partners and other organisations.

4. Corporate considerations

4.1 Consultation and engagement

Consultation on the development of strategies, policies, procedures and standards are extensively undertaken across a broad range of stakeholders including information management professionals, representatives from all Directorates via representatives of Information Management and Technology Teams and Information Management Board members.

4.2 Equality and diversity / cohesion and integration

There are no issues in relation to Equality and Diversity or Cohesion and Integration.

4.3 Council policies and best council plan

- 4.3.1 All IM&G programmes of work are working towards ensuring the Council meet statutory and regulatory requirements.
- 4.3.2 All Information Management and Governance related policies are currently being reviewed and a dedicated Policy Review Group has been established. As part of this review the group will be consulting with internal stakeholders and external peer checking.

4.4 Resources and value for money

There are no issues in relation to resources and value for money

4.5 Legal implications, access to information, and call-in

- 4.5.1 Delegated authority sits with the Director of Resources and Housing and Senior Information Risk Owner and has been sub-delegated to the Chief Information Officer under the heading "Knowledge and information management" in the Deputy Chief Executives Sub-Delegation Scheme.
- 4.5.2 There are no restrictions on access to information contained in this report.

4.6 Risk management

- 4.6.1 Non-compliance with PSN standards could leave the Council vulnerable to the following risks:
- The Head of the PSN could inform the Department of Works and Pensions of our non-compliance. Continued non-compliance could culminate in denial of access to Revenues and Benefits data.
 - The Head of PSN could inform the ICO, which could culminate in the revisiting of the audit conducted by the ICO in 2013 to ensure compliance against the Data Protection Act / GDPR.
 - The Head of PSN could inform the Deputy National Security advisor to the Prime Minister, who would in turn conduct an assessment based on the national risk profile.
 - The Head of PSN could instigate an external audit of all our security systems by the National Cyber Security Centre. The Council could end up under partial commissioner control.
 - Ultimately, the Head of PSN could instigate a complete 'switch off' from PSN services
- 4.6.2 PSN certification is relied upon as an assurance mechanism to support information sharing, where many of the requirements request that the council present a certificate prior to sharing, or evidence alternative, more time consuming, compliance work to be completed.
- 4.6.3 Without a PSN certificate, there is significant risk to the council's National reputation as a Digital Innovator.
- 4.6.4 The risk associated with not implementing GDPR / DPA18 compliant information governance policies, procedures and practice across the council leaves the organisation more susceptible to breaches of legislative, regulatory and contractual obligations, affecting the confidence of its citizens, partners, contractors and third parties when handling and storing information.
- 4.6.5 Further work is being undertaken in conjunction with the Corporate Risk Manager to embed the recording and reporting of information risk. The Information Asset Register project will generate information required and an automated dashboard will be produced to report risk assessments to the SIRO. This will provide the assurance required by the SIRO from the business and will allow risk mitigations to be prioritised.

5 Conclusions

- 5.1 The work of the previous year, reported to this Committee on 16th March 2018, has been continued.
- 5.2 The establishment of information governance practice and procedures outlined in this report provides a level of assurance to Committee that the range of information risk is managed both in its scope and through to service delivery. It allows the council to work with partner organisations, third parties and citizens in a clear, transparent, but safe and secure way. It helps to protect the council from enforcement action and mitigate the impact of cyber incidents aimed at attacking and/or bringing down council information systems.
- 5.3 Work continues to ensure PSN compliance and the Council will re-submit for certification in July 2019

- 5.4 The dip in performance of FOI at the end of 2018 has been managed and a central requests team to handle all information requests has been established to provide for greater resilience in handling the large numbers of information requests the Council receives.
- 5.5 The GDPR Implementation Project has formally closed. Work to ensure compliance with the Regulation has been embedded as business as usual in the IM&G service.

6 Recommendations

- 6.1 Corporate Governance and Audit Committee is asked to consider the contents of this report and the assurances provided as to the Council's overall approach to information governance.

7 Background documents¹

None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.