



**Name of meeting: Corporate Governance & Audit Committee**

**Date: 24<sup>th</sup> November 2020**

**Title of report: Information Governance Annual Report 2019/20**

**Purpose of report:** To report on the main Information Governance events and activities for the year 2019/20 including:

- Information Governance matters, particularly the implementation and impact of the new General Data Protection Regulation
- Information access requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and Data Protection Act 2018
- confirmation of the council's compliance with the NHS Data Security and Protection Toolkit Accreditation
- The Information Security and Cyber Security improvements and activities
- An outline of the improvements and developments planned for 2020/21

This report is for information and comment.

<b>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b>	<b>Not Applicable</b>
<b>Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u></b>	<b>Key Decision – No</b> <b>Private Report/Private Appendix – No</b>
<b>The Decision - Is it eligible for call in by Scrutiny?</b>	<b>Not Applicable</b>
<b>Date signed off by <u>Strategic Director</u> &amp; name</b>  <b>Is it also signed off by the Service Director for Finance?</b>  <b>Is it also signed off by the Service Director for Legal Governance and Commissioning?</b>	<b>Julie Muscroft – Service Director for Legal, Governance and Commissioning</b>  <b>13/11/2020</b>
<b>Cabinet member <a href="#">portfolio</a></b>	<b>Cllr Graham Turner</b>

**Electoral wards affected: All**

**Ward councillors consulted: None**

**Public or private: Public**

**Has GDPR been considered? Yes**

### **Summary**

Information Governance should be seen in the context of wider corporate governance. The way in which we utilise, manage, retain, share and dispose of our information are the core components of robust information governance. It assists the council to reach a point where information and data becomes an asset and an enabler to the council and its communities. It is the foundation of delivering our wider intelligence vision.

This report seeks to set out the breadth of activity and challenges in the context of information governance as a whole. By way of an overview, headline actions include:

- Ongoing work and continued monitoring of information requests
- Work intended to improve the information governance culture within the organisation and minimise risk from non-compliance
- Reporting performance of the Council Services with respect to Information Access requests to the Information Governance Board
- Review information security incidents to identify Council Services where additional training and support is required
- Implementing initiatives to improve information and cyber security
- Delivering projects to update outcomes for records management

## **1. Information required to take a decision**

None

## **2. Implications for the Council**

### **3.1 Working with People**

This report outlines how the council has performed in delivering information requests to individuals during 2019/20

### **3.2 Working with Partners**

This report outlines how the council has collaborated with partners to support them to achieve their information related outcomes during 2019/20

### **2.3 Place Based Working**

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None

## **2.4 Climate Change and Air Quality**

None

## **2.5 Improving outcomes for children**

This report outlines the performance of the council to requests for personal information, often relating to children

## **2.6 Other (eg Legal/Financial or Human Resources) Consultees and their opinions**

By law, the Council is required to adhere to The Data Protection Act 2018, The Freedom of Information Act 2000 and the Environmental Information Regulations 1998. This report does not raise any legal implications.

### **3. Next steps and timelines**

In the context of wider corporate governance, it is important that the Council continues to have a strategic approach to information governance that ensures legislative compliance whilst realising the opportunities and benefits of robust practice.

The learning from the last 12 months and planned activity for the next reporting period (as set out in the Annual Report) will form the basis of the work programme for the Information Governance Board with a clear focus on continued compliance with the new General Data Protection Regulation. This work will be closely aligned to the strategic objectives of the council in the context of the Corporate Plan.

### **4. Officer recommendations and reasons**

Members of the Information Governance Board were consulted on the contents of the attached report and endorse the information and proposals contained therein. The Annual report was considered by the Information Governance Board on October 16<sup>th</sup> where it was agreed that the report should be considered by Corporate Governance & Audit Committee.

The Information Governance Board would be grateful for any comments from Members on the content of this report and ideas of what items Members would find useful to have included in future Information Governance Annual Reports.

It has been noted previously that this annual report is becoming larger each year therefore, the key sections reporting on FOIA, EIR and DPA information requests have been significantly reduced. Specific reports relating to the legislative compliance statistics for 2020/21 are available on request.

The Committee are asked if a half yearly update would continue to be useful for 2020/21, with particular attention to the IG response to COVID-19 recovery.

**5. Cabinet Portfolio Holder's recommendations**

The Cabinet Portfolio Holder has been kept updated, there are no comments to report.

**6. Contact officer**

Katy Deacon – Information Governance Manager and Data Protection Officer

**7. Background Papers and History of Decisions**

None

**8. Service Director responsible**

Julie Muscroft – Service Director for Legal, Governance and Commissioning

# **Information Governance Annual Report**

**2019/20**

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## Executive Summary

This Information Governance Annual Report sets out how the Council has performed throughout 2019/20 against the Council's five pillars of Information Governance (IG):

- **Organisational Culture Change** - Services develop their Information culture and effectively allocate responsibilities for Information Assets within their Service.
- **Legislation compliance** with regards to Data Protection, Environmental Information, Freedom of Information and other accreditation activities
- **Information Sharing and Processing** - to enable Services to meet statutory duties and support integrated services and joint commissioning
- **Publication and Transparency** - the Council should adopt a strategic and shared approach to developing a publication scheme that is up to date, relevant and easy to navigate, which will involve a Council-wide approach, centrally co-ordinated, to manage and publish relevant information
- **Records Management** including email - to ensure the Council effectively manages and uses its paper and digital records

There have been significant achievements throughout the year including:

- The strategic leadership and management of IG for the Council has been prioritised and implemented, with mandates to the IG Board from Executive Team being raised and successfully actioned.
- The Kirklees Information Management Strategy outcomes are being progressed successfully.
- The Service Directors, who are also known as Information Asset Owners, have had training updates to help them improve the management and use of the information within their areas of responsibility to ensure information is collected and stored and used appropriately.
- Activities to ensure the complexities of the General Data Protection Regulation (GDPR) have been implemented with regular self-assessment checks being carried out by all services, demonstrating improved compliance.
- The Council has developed online systems to ensure Information Asset Register and Data Protection Impact Assessments are completed for every information asset in a way which reduces paperwork and complexity for officers.
- The Central Archive holds over 16,300 boxes of Council records, processing 25 boxes per week, and has supported Services to create 24 new/updated retention schedules.
- The Council now holds all of its paper records within its Central Archive Facility.
- The Council now has an approved Cyber Security Strategy which will help drive the Council's focus on ensuring all electronic data remains secure.
- The mandatory GDPR training programme has resulted in a 100% success rate for training around the new legislation.

These achievements required the combined work from the Council's Information Governance Team and the collaboration of Officers from all Directorates and

partners from across the region. These examples of strong and joined up working practices provide confidence for the future development of the Information Governance culture within the Council.

An overview of the work carried out in 2019/20 can be found in the following pages. An outline for the work programme for 2020/21 is provided towards the end of this report, to enable understanding of how IG is being further developed and embedded within the Council in the coming year.



## Introduction

Information Governance (IG) brings together all of the requirements, standards and best practice that apply to the handling of information on all media. It allows the Council to manage information in an appropriate, efficient and secure manner that balances the importance of maintaining confidentiality and individual privacy at the same time as promoting openness and transparency.

In order to achieve effective Information Governance practices the Council uses the tools within its Information Governance Framework. This framework ensures that the organisation and individuals have information that is accurate, meets legal requirements, is dealt with effectively and is secure. These are important foundations that support the Council's corporate plan and the service delivery requirements of the Council. The Framework sets out the Council's general approach to Information Governance and underpins and supports the Council's priorities in ensuring the achievement of the corporate plan.

This report covers the Council's performance against the five Information Governance pillars for the year 2019/20.

## 1. Organisational Culture Change

### ***Governance***

Over the last few years, the Council's focus on Information has predominantly been driven by legislation compliance. The Information Governance Team was established to co-ordinate and manage the requests for information from the public and their responses from Services. It was subsequently identified that in order to have a consistent and Council-wide approach to Information Governance a Director-led Board was required. This Information Governance (IG) Board was established and is chaired by the Council's Senior Information Risk Officer (SIRO).

In May 2018, the General Data Protection Regulation (GDPR) was introduced which required the Council to refresh its approach to Data Protection in line with the new legislation. GDPR required a new role of Data Protection Officer (DPO) to be appointed by the Council, which was completed in April 2018.

The IG Board has an established approach to policy review which means that all of the IG related policies are reviewed and updated annually at the IG Board. These Policies form part of the Information Governance Framework which provides the foundation for the Council's Information Governance work and supports the Council's approach to People, Place and Partnerships and the Council's outcomes.

The IG Board performs a council-wide, strategic role for Information Governance, supported by more operational task groups. The Terms of Reference for the IG Board can be found in [Appendix A](#).

In 2019/20 the task groups which focused on GDPR implementation were maintained with a focus solely on GDPR implementation and strategic records management work. This has been working well and adding value to services, members and residents through the improved understanding of services around how to use and protect personal data more effectively. Privacy by design, records management and legislative compliance have been focus areas for the group this year.

The GDPR Implementation Task Group meets every month to be updated on developments and provide peer support for GDPR implementation activities. This ensures that GDPR implementation becomes business as usual within the Council and the authority continues to improve its compliance rates and embed understanding and knowledge.

The Electronic Records Management Task Group has concluded its work during this financial year. This has resulted in a strategic action by the IG Board, following a task group recommendation. This recommendation was to request that People Services to identify a solution to resolve the high-risk area of staff data Management as part of the new people strategy work during 2020/21.

### ***Kirklees Information Management Strategy***

The Information Management Strategy provides the bedrock for the activities relating to information between 2018 and 2021. The strategy was developed following extensive consultation with Council officers and Partners. A copy of the full Information Management Strategy can be found in [Appendix B](#)

A graphic of the status of the Information Management Strategy at the end of 2019/20 can be found below.

<b>Measure of success</b>	<b>Current status</b>	<b>Reasoning</b>
Meeting the ICO's minimally acceptable compliance rates for GDPR, FOI and EIR	Partially achieved by Q1 2020	Covid-19 situation has removed focus by services
Effectively managing all records, both paper and electronic	Partially achieved by Q1 2020	This is in progress but may not be completed by April 2021
Proactively sharing appropriate data with partners, with effective sharing agreements in place and reviewed annually	Achieved by Q1 2020	In place and improved information sharing gateway to be implemented by April 2021
Managing information security incidents and mitigating risk through thorough training and procedural improvement practices	Achieved by Q1 2020	In place and on-going improvements made by services and supported by IG Team
Privacy by Design and Default is embedded within working practices	Partially achieved by Q1 2020	This has been included in corporate project management guidance but needs to be consistently updated across the Council

Publishing information to the public, improving transparency and reducing information access demand	Not achieved by Q1 2020	Lack of resource and focus has meant this outcome is not likely to be achieved
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The IG Board analysed the progress against the current strategy at the start of 2020/21 and determined that the strategy had been a success, but more development around information governance was required. Therefore, the board determined that for the year 2020/21 work would continue on the 2018/21 strategy alongside the development of a new information governance strategy for 2021/23.

***Training and Awareness***

Having a strong culture of Information Governance is vital to the success of many Council activities going forward and IG training has been mandatory for all Kirklees Council employees, volunteers, contractors or other individuals who may have access to council data for a number of years.

The mandatory training has been developed in a number of formats (online and paper based) to ensure that every individual working within the Council can access IG training.

The introduction of GDPR required all officers to complete the mandatory GDPR training as well as all contractors who would be accessing the Council’s network. Officers who hadn’t completed the training by the deadline were locked out of the system until they had completed the training.

This means the Council has a 100% record of training for GDPR awareness.

**2. Legislation compliance**

***Data Protection***

The topic of Data Protection is primarily focussed on the safe keeping of personal data about individuals. This is a very high priority for the Council and its partners, as we serve a diverse range of people and therefore data protection relates to a significant volume of data across the Council.

**Legislation Changes – General Data Protection Regulation**

The General Data Protection Regulation (GDPR) came into force on **May 25<sup>th</sup> 2018** and replaced the Data Protection Act (1998). Many of the concepts and principles of the old Data Protection Act (DPA98) are the same within the GDPR however there are some new elements and some significant enhancements, so the Council needed to approach data protection differently as an organisation.

Focus for 2019/20 was to work on changing cultures within the organisation. All of the Information Asset Owners (IAO) who are the council’s Service Directors, were trained to understand their information responsibilities. They were also advised that

to achieve their responsibilities this would require significant support. So, throughout the year services have identified information asset coordinators, who are individuals to help services identify their GDPR compliance requirements. These individuals have also been trained in their data protection responsibilities and meet every 2 months to learn about specific GDPR matters and support each other through action learning sets.

The IG Board and Executive Team have been updated regularly throughout the year on GDPR compliance. This is carried out through the GDPR assurance project. Every service is asked to complete a GDPR self-assessment on a regular basis to identify the status of each service with regards to their legislative compliance.

The results of the self-assessments can be found in [Appendix C](#). These results, in graph form, identify the patterns towards compliance for the council. Unfortunately, the trends shown do not evidence significant movement towards full GDPR adoption across services. Therefore, there will be increased focus on support to services through 20/21 and the self-assessment approach will be reviewed by the GDPR Implementation Task Group. The ICO is developing a self-assessment tool, which will be analysed in the coming financial year, with a view to potentially adopting the regulator's tool on an ongoing basis.

### ***Information Rights***

The GDPR legislation has introduced a number of additional ways in which individuals can access the personal data held by an organisation. These rights are outlined [on the information Commissioner's website](#) but the list of rights are:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling.

Council services manage their own approach to achieving these rights, with the support of the IG team. The right to be informed is addressed by the publication of privacy notices on the Council's website and at providing privacy information at the appropriate time during contacts with individuals.

The other data protection rights requests are currently managed centrally from the Governance Service within the Information Governance Team and also within some specific service areas.

The published figures for right of access requests, known as Subject Access Requests (SARs), show a slight decrease of 9% on last year from 302 in 2018-19 to 293 in 2019-20.

The response rate by Kirklees Council to these requests has stayed the same as the previous year at 72% compliance. This is well below the ICO's required compliance rate of 90% within the statutory timescale (one month). The IG team keep a monthly record of compliance rates relating to service responses. One service area was causing significant rate reductions, so the IG manager worked with that service to identify an improved approach. This approach was actioned in January 2020, so performance improvements will only be visible in the 2020/21 annual report. More detail on these figures is available on request.

In 2019-20 the Council received 46 other rights requests which is a slight increase of 2 on the number received in 2018-19 (44) and achieved a 66% response rate within the timescale outlined above, which is higher than the than the 49% rate in 2018-19.

### ***Disclosures***

In addition to the Subject Access Requests received from individuals, the Council is committed to assisting the law enforcement agencies in their investigations whilst still achieving compliance with the Data Protection Act 1998. These requests are termed Disclosures.

There are no measured response deadlines for Disclosures; however, the Council uses the SAR response deadline measurement timescale (one month) to assist with monitoring performance around disclosures.

On that basis, in 2019-20 the Council received 420 disclosure requests which is a slight decrease of 2 on the number received in 2018-19 (422) and achieved a 81% response rate within the timescale outlined above, which is slightly higher than the than the 79% rate in 2018-19.

### ***Freedom of Information Act 2000 & Environmental Information Regulations 2004***

This section details how the Council has performed throughout the 2019/20 year in respect of information access requests received and processed under the Freedom of Information Act 2000 (FoI) and Environmental Information Regulations 2004 (EIR).

The Act and the Regulations require public authorities, including the Council to reply to information requests within 20 working days - either providing the information or saying why it cannot be provided.

The Council received 1547 requests during 2019-20 which is 113 less than the number received in 2018-19, which is a 7% decrease.

<b>Monthly</b>	<b>Number</b>	<b>Quarterly</b>	<b>Number</b>
April 2019	137	Quarter 1	390
May 2019	135		
June 2019	118		
July 2019	165	Quarter 2	409

August 2019	138
September 2019	106
October 2019	130
November 2019	119
December 2019	99
January 2020	164
February 2020	139
March 2020	97
<b>Total</b>	<b>1547</b>

Quarter 3	348
Quarter 4	400
<b>Total</b>	<b>1547</b>

The Council's compliance rate for responding to requests has decreased slightly to 87.7% which is below the Information Commissioner's Office (ICO) current minimum standard of 90% of responses should be sent out within deadline. It is a dip in performance in 2018-19, which was 89%.

The IG Board reviews Fol response figures at each meeting, which helps raise the profile of any specific difficulties when they arise. In addition to this, these figures are monitored on a quarterly basis by Executive Team and have been identified as requiring improvement through 2020/21. The key causes for a response rate below the ICO's minimum are

- a 17-day response time for services which is often not adhered to
- delays caused by lack of capacity within the IG team

To overcome these issues IG Board has identified that the time limit given to services needs to be reduced to 15 days and the resource within the IG team to support these responses needs to be improved throughout 2020/21.

### ***Internal reviews and Complaints***

The number of internal reviews carried out of the responses to requests has decreased slightly on the previous year, to 27 in 2019-20 from 33 in 2018-19. 64% were dealt with within the timescale set out in the EIR and suggested by the ICO for Fol. This timescale is not a statutory figure, it is 1 suggested which we work to adhere to. However, some reviews are straightforward, but some are very complex and require detailed investigation. Despite the internal review completion rate being an improvement on the previous year, the Council has some work to do to ensure that internal reviews are concluded in a more timely manner.

The number of complaints made to the ICO has increased from just 1 in 2018-19 to 4 in 2019-20. The ICO issued 2 Decision Notices in respect of 2 of the 4 complaints; the ICO does not require the council to take any steps on either. One of the complaints reached a local resolution so no Decision Notice is required. On the final complaint the Council re-issued a response to the applicant; no further action has been taken by the ICO on this to date. One complainant has appealed the Decision Notice to the First Tier Tribunal (Information Rights), the response to which is awaited.

More detail on the Fol and EIR response rates for 2019-20 be provided on request.



## **NHS Data Security and Protection Toolkit Accreditation**

In 2018/19 NHS Digital replaced the IG Toolkit with the Data Security and Protection (DSP) Toolkit. Further details about this Toolkit and accreditation process can be found on the [Toolkit website](#) .

Achieving this standard requires significant resource investment and compliance with rigorous IG standards by the whole organisation. The DSP toolkit does not have a scoring mechanism, the local authority is defined as either passing or failing depending on its response to mandatory questions.

*The successful submission for 2019/20 was made to NHS Digital in February 2020 once it had been verified by Internal Audit and signed off by the IG board. It demonstrates the strong and continued positive change across Council departments towards effective and secure information governance.*

## **Information Security**

Historically, whilst information security incidents occurred, they were not generally reported as there was not a wider awareness of what an information security incident was or what an individual should do about it. This can be demonstrated from past incident records, as seen below:

<b>Annual Year</b>	<b>Number of incidents</b>
2014/15	54
2015/16	49
2016/17	56
2017/18	93
2018/19	246

The introduction of GDPR in May 2018 brought a mandatory requirement to report high risk information security incidents to the Information Commissioner's Office within 72 hours of a breach occurring.

To enable the Council to respond appropriately, an online information security incident form was rolled out for all officers to utilise in the event of an incident. This was launched and promoted across the Council by the IG Team using the Spotlight system. The intranet pages on information security were also updated to correspond with this awareness raising. This was completed alongside and in addition to the GDPR communications messages which were shared with all teams. With this increased awareness around information security incidents and the improved reporting mechanism the situation around incidents changed dramatically

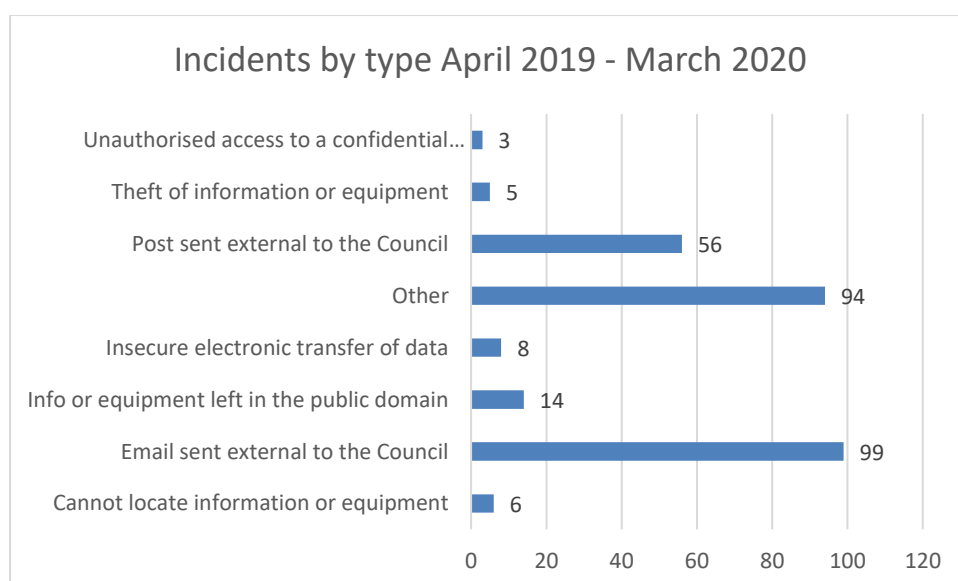
The online reporting tool has a scoring mechanism built into the software. The score of an incident is applied depending upon which answers the officer reporting selects. Therefore, an incident relating to an email containing a single individual's name and address being sent to the wrong recipient would score lower than an email containing the personal and health details of 500 individuals. This scoring approach allows the IG Team to conduct an initial assessment of the priority of the incidents coming in. If,

after further investigation, it is considered that the incident meets the requirement to report, the incident details are raised with senior managers for their consideration before being raised with the SIRO with a recommendation to notify the ICO.

In the period 1 April 2019 to 31 March 2020, there were a total of **285** information security incidents reported through the online reporting form. There was only one incident which warranted reporting to the ICO during this period. This incident was reported on March 2, 2020 and it related to the council’s failure to retain an ex-member of staff’s work email account, despite being flagged to do so. The ICO investigated but took no further action. However, they made several recommendations, which the council is working to implement.

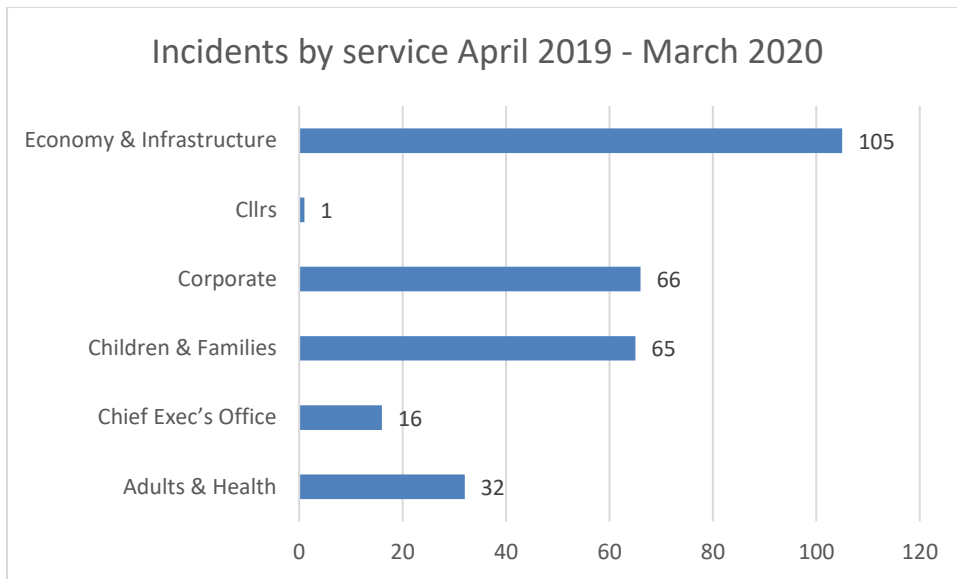
There were a few other incidents reported through other means, but on the whole, we have asked people to use the online form so that we have a comprehensive picture of reported incidents. In comparison, figures for incident reporting never exceeded 60 in the years before the online reporting form – and associated IG communications – was launched. Reporting increased fourfold since the introduction of the online form, and the number of incidents being reported through this form have remained consistent over the last 2 years.

The graph below gives an indication of the type of incidents received. It’s clear from this that both post and emails sent externally continue to be the biggest information security risks for the Council. One of the continuing issues is around the use of the ‘auto-complete’ function in emails, which many staff rely on, and which they don’t realise picks up addresses from any email accounts the staff member regularly uses. A rough visual analysis of the incidents categorised as ‘other’ shows that over half of the reported incidents classed as ‘other’ refer to planning objectors’ details being filtered to the public website without appropriate redaction. Planning have put in place spot checks to identify these incidents earlier, but it does continue to be an issue.



The table below shows incidents split by service area.





The high number for Economy & Infrastructure in part reflects the planning issue referred to above. It's worth noting that higher numbers of incidents reported for one service or another do not necessarily mean that there are greater problems in that service area. It may instead point to that service having a higher level of awareness of (a) what constitutes an information security incident, and (b) the necessity of reporting such incidents.

### **3. Information Sharing and Processing**

To achieve effective, streamlined services, both internally and with partners, it is vital that the information held is shared effectively and in line with the Data Protection Act. There are a range of reasons why data must be shared and there are also legislative reasons why data must not be shared. It is very important that the culture of the Council is focussed on achieving a modern and efficient approach to information sharing whilst maintaining data security and ensuring data sharing uses established legal gateways or the full consent of the individual. It is the role of the Information Governance team within the Council to perform the enabling role required by Council Services to ensure data can be shared with colleagues and Partners.

The council has established information sharing agreements with all of our Councillors and regular partners. Sharing agreements are often set up on an ad hoc basis, which means that relationships need to be developed by services. This can take some time, but it is a process which is fully supported by the IG team.

It is essential in the future that the sharing relationships are developed and strengthened, as the organisation will be working more closely with community partners to commission and deliver joined services which require sharing personal information.

To make this process more straightforward, the Council is one of the 45 signatories to the West Yorkshire Inter-Agency Information Sharing Protocol. This protocol sets out the requirements for the signatories to utilise when sharing information between each other, which makes the sharing process much more effective and efficient.

To go even further, during 2020/21 the ambition for the council is to adopt a nationwide Information Sharing Gateway. This gateway is becoming established throughout local authorities and health services across the country and we hope that we can encourage our partner organisations within Kirklees to join us in this ground-breaking approach to improved information sharing.

## **4. Publication and transparency**

### ***Open Data***

The Local Government Transparency Code 2014 was initially published in May 2014 replacing the Code of Recommended Practice for Local Authorities on Data Transparency, first published in September 2011. The Code sets out the minimum data that local authorities must publish and data that the Government recommends local authorities to publish.

The regulations came into force in October 2014. At the same time the Department for Communities and Local Government [DCLG] published a revised version of the Code including some notable changes as well as a further recommendation that local authorities go further than its requirements and provide additional datasets with more detail. The Transparency Code has not been updated since 2015. During 2016, DCLG carried out a consultation on proposed changes to the Code. Since the consultation, there have been no updates made to the Code.

The code has two elements; information which must be published and information that is recommended for publication. In 2016, Kirklees Council published data and information, where available, to meet the mandatory requirements of the code. We also started to obtain data & information that would meet the recommended elements at this point.

Since 2017, this local emphasis on requesting data that meets the recommended element of the code has continued and some compliance improvements have been made. The continued focus on the recommended requirements is in preparation for a future anticipated request for all authorities to meet the recommended criteria.

The full detail of the situation up to the end of 2019/2020 can be found in [Appendix D](#).

Collection for 2020/2021 data began in February 2020. The published data can be found here:

<http://www.kirklees.gov.uk/beta/information-and-data/open-data-sets.aspx>

## **5. Records Management**

### ***Record Management and the Central Archive***

There has been a significant focus on bringing the Council's paper records into one storage facility, rather than paying external organisations to store and release those documents when we need them.

The Central Archive facility at Red Doles Lane currently holds 16,300 boxes of Council records which includes 3071 new boxes of records, 1835 of which are boxes which had previously been held in an offsite storage facility.

The majority of these new boxes relate to Children's files. Therefore, it is now possible to state that all Children's records are in one place, which has not been achieved at Kirklees Council for many years. The benefit of having all the records together means that we can link multiple files for a client, to ensure we know where all information relating to that individual is held.

The archive processes around 25 boxes per week, receiving recall requests, identifying the boxes within the archive, sending these out to services and logging them back into the archive on return.

Much work has been done with Services to ensure they are responsible for their own records and their record retention. The Council now has 24 retention schedules for services, held on the Council's intranet for all officers to refer to as they need to. In 2019/20 over 1336 boxes of records were destroyed in line with these retention schedules.

### ***Risk Assessments and the Information Asset Register***

The Information Management Strategy and GDPR have highlighted a number of key areas which require further development relating to the Council's awareness of the information it holds.

Before the Council can achieve its objective of having a strategic overview of information, it needs to identify all the information it holds. This knowledge is also a requirement of GDPR. To help achieve this outcome, the IG Team worked with IT colleagues to create an online Information Asset Register. This tool collects information about the data being created and stored so that the Council has a holistic understanding of the knowledge being generated throughout the organisation.

The Information Asset Register (IAR) is closely linked with the GDPR requirement to create a Data Protection Impact Assessment (DPIA) for each activity requiring the collection of personal data. A DPIA enables all of the legislative and risk-based information about a project/area of work to be outlined in one assessment

In the council's online system, if the service identifies they are collecting personal data they are taken to the DPIA platform where they complete this form, then pass

through to the IAR. The IAR takes data from the DPIA so the officer only needs to complete the empty fields. If the asset does not contain personal data, the IAR can be completed without a DPIA.

In 2019/20 149 DPIA's were created by services using the new system. This process is expected to be reviewed throughout 2020/21, using the learning from a year's worth of experience and also the learning from the COVID-19 experience, when a short form DPIA was developed and utilised with great success.

## **Work Programme for 2020/21**

In addition to the usual compliance activities and support for Services, the following projects and work programmes are planned for the 2020/21 financial year:

**Records Management Digitisation Transformation** – Identifying a road-map for digitisation of all paper records to improve the accessibility and availability of information whilst also improving the redaction accuracy and turn-around speed of information requests

**Information Sharing improvements with Partners** - information sharing, between organisations, is increasingly important. Next year we will spend time focusing on how this can be improved, so that information sharing becomes an accepted and acceptable activity within services and with partners.

**Improving Information Governance training for officers and councillors** - developing the Councils IG training for both officers and councillors is very important, particularly as we move into a world where GDPR is embedded within working practices.

**Implementation of Cyber Security Strategy** – developing and continually testing the IT network in line with the strategy to ensure that the objectives outlined in the strategy are fully delivered.

**Information Governance Strategy consultation** - the 2018/21 Information Management Strategy will be coming to an end in April 2021 and work needs to be done to tie off that strategy and identify priority areas to include in the new strategy.

**Information governance board review** - the IG board members decided in February 2020 to review the make-up and approach of the IG board over the coming year, with a new redesigned IG board to begin meeting in 2021/22

## Conclusion

2019/20 has been a very busy year in terms of IG legislation implementation. There has been much learning and culture change required by teams, services and organisations to ensure that GDPR compliance is achieved.

The Kirklees Corporate Plan 2020/21 sets our direction and priorities for the current financial year. The IG team work to contribute to the corporate plan in the following ways:

- **Best Start**
  - Individual's records are available on request
- **Sustainable Economy**
  - the council is transparent with its financial records, available through the council's website and on request
- **Well**
  - support services to ensure health and social care records are maintained effectively, with strong links to partner health services
- **Safe and Cohesive**
  - establish effective Information Sharing Agreements with police and other partners
- **Independent**
  - support services to build information sharing relationships with partners
- **Clean and Green**
  - developing ways to ensure the council's records are securely maintained as digital records
- **Aspire and Achieve**
  - strengthen and expand information sharing relationships with schools, colleges and the University
- **Efficient and Effective**
  - raising awareness and understanding of council officers, to ensure smart record management, effective information governance and efficient legislative compliance

How will we do this:

- Promote IG awareness, work collaboratively and support services in preventing data breaches
- Implement training modules that improve and develop IG standards
- support services to carry out the IG compliance activities (including Information Sharing Agreements, Data Protection Impact Assessments, Information Security reporting)
- effectively record and securely hold the councils paper records
- monitor and update IG policies
- coordinate and support services to respond to information requests from the public

Good progress has been made to achieve the outcomes required in the Information Management Strategy. The council now has an effective Information Asset Register, which links to the councils Data Protection Impact Assessment system to enable an automatic generation of a Record of Processing Activity, an essential requirement of GDPR compliance.

The council now has all Information Asset Owners trained in their responsibilities, with many Information Asset Coordinators in place to support them. This is important to ensure that services have a robust approach to managing the information they collect and generate.

All services have been through two rounds of GDPR self-assessment, which allows them to identify the areas they need to develop for legislative compliance and also it allows them to celebrate the progress which they have made in order to achieve compliance.

The council response rate to information requests are still below the ICO required rate of 90%, but the information rights requests response rate has improved from last year.

<b>Information requests</b>	<b>2019/20 response rate</b>	<b>Change from 2018/19</b>
Subject Access Request	72%	0%
Information rights requests	66%	17% improvement
Freedom of Information requests	87.7%	2% reduction

There was an increase of 39 information security incidents reported and investigated by the IG team, with only one incident considered to be of high enough risk to report to the ICO. This incident did not result in any further action.

The council now holds all of the paper documents which it has generated through various means at the Central Archive facility at Red Doles Lane. This is a fantastic achievement and a very positive outcome of two years' work to identify where data may be held and work with services to bring the data back within the council's control.

The council has a 100% record of training for GDPR awareness, which is a very positive result and supports the approach to achieve organisational behaviour change which embeds legislative compliance.

The IG Board would like to thank the IG Team, GDPR Service representatives, FOI coordinators and SAR coordinators for their hard work throughout this very demanding year. Their work has resulted in some very good outcomes.

## **Appendices**

## ***Appendix A - Information Governance Board Terms of Reference***

### **Information Governance Board**

#### **Terms of Reference**

(Updated August 2018)

#### **Purpose**

The Information Governance Board provides a framework and strategic steer to the organisation in relation to Information Governance. The Board ensures that the Council safely uses its information assets to deliver its priorities and objectives legally, securely, effectively and efficiently.

The Board will:

- Develop and promote robust and consistent Information Governance practices across the Council;
- Embed the Kirklees Information Governance Framework throughout the organisation;
- Support and Advise the Council, Contractors and Partners on IG related matters
- Address Information Security risks and establish a risk management framework;
- Establish, monitor and oversee legal compliance with regards to Information Governance;
- Promote and support a transparent information culture;
- Develop and implement Council-wide communications around Information Governance and associated training.
- Support, advise and challenge Services on the implementation of and compliance with associated/relevant legislation and Council policy;
- Ensure the organisation complies with statutory requirements set out by the Information Commissioners Office (ICO).
- Research and advise on relevant new legislation in relation to FOI, EIR, Data Protection, Open Data, Information Security and Records Management;
- Identify and provide organisational development arising from new/amended policies/procedures and assist services in response to changing legislation;
- Support Services to share information with partners effectively and securely and to process information in a legal and safe manner.



- Develop and promote a transparent information culture across the Council, with an aim to having 90% of the Council's non-personal information in the public domain;
- Develop and implement Council wide communications around Information Governance and associated training.

## **Governance**

The **Senior Information and Risk Owner** will chair the Information Governance Board. The SIRO has organisational responsibility for all aspects of Information Governance, including the responsibility for ensuring that Kirklees Council has appropriate systems and policies in place to maintain the security and integrity of Kirklees Council's information. The SIRO will consult with the Board to obtain guidance in relation to Information Governance decisions.

The **Caldicott Guardian** will be a member of the Board acting as the 'conscience' of an organisation. The Guardian actively supports work to enable information sharing where it is appropriate to share and advises on options for lawful and ethical processing of information. The Caldicott Guardian also has a strategic role, which involves representing and championing confidentiality and information sharing requirements.

## **The Data Protection Officer (DPO)**

The DPO's tasks are defined in GDPR Article 39 as:

- to inform and advise the Council and its employees about their obligations to comply with the GDPR and other data protection laws;
- to monitor compliance with the GDPR and other data protection laws, and with the Council's data protection policies, including managing internal data protection activities; raising awareness of data protection issues, training staff and conducting internal audits;
- to advise on, and to monitor, data protection impact assessments;
- to cooperate with the supervisory authority; and
- to be the first point of contact for supervisory authorities and for individuals whose data is processed (employees, customers etc).

## **Information Governance Manager (IGM)**

The IGM is responsible for providing specialist advice and support on all aspects of Information Governance and is also responsible for reviewing the policy and ensuring it is updated in line with any changes to national guidance or local policy.

## **Terms of Engagement**

- Frequency of meetings – every two months
- Attendance at meetings to be substituted by representatives as required, ensuring all Directorates are represented.

- The Board will provide updates to the Executive Team, Management Board, Corporate Governance and Audit Committee, the Cabinet Member responsible for Information Governance and Cabinet as appropriate.
- The Board will be Chaired by Julie Muscroft, Senior Information Risk Owner and Service Director for Legal, Governance and Commissioning
- The Information Governance Manager will co-ordinate the Board meetings, generate the agenda on consultation with the Chair and distribute papers
- Representatives from all work areas will sit on the board, with non-members being invited to present papers as appropriate
- Communications Strategy – the Communications Plan is updated on a monthly basis in line with developments across the organisation

**Review**

The Board will review the relevance and value of its work on an annual basis.

A

## **Appendix B - Kirklees Information Management Strategy**

<b>Document Overview</b>			
Kirklees Council considers information to be a vital asset for the successful delivery of services and efficient management of resources.			
It is important to ensure that information is efficiently managed and that appropriate policies, procedures and management accountability provide a robust governance framework for this information management.			
Intended Audience		All employees and Councillors	
Linked Policy		Information Governance Policy Records Management Policy Data Protection Policy Information Sharing and Processing Policy Information Security Policy	
<b>Revision History</b>			
Version	Author	Reason for issue	Date
1.0	Katy Deacon	New Strategy	February 2019
Date of next revision		April 2021	

### **Introduction**

The purpose of this strategy is to outline the principles, vision and objectives Kirklees Council has for information management until April 2021. It sets out the approach to be taken to provide a robust framework around the use of information.

Accurate, timely and relevant access to information is vital to deliver the highest quality services. It is the responsibility of all staff to ensure information is used appropriately and in accordance with the supporting policies.

In this strategy, the term 'information' covers the breadth of structured and unstructured information such as records, data and documents. It also relates to any format, including electronic, hard copy or handwritten.

Kirklees wants to make better use of the information it has and to ensure teams have access to high quality information to deliver effective services. These provide the foundation for the Council objectives:

- **A Council which connects ideas, people and resources across boundaries of all kinds, supporting communities to harness and build on their strengths**
- **A Council focussed on creating trust and connections between institutions, businesses and citizens in Kirklees**
- **A Council which will be responsible for a consistent level of basic services, but will strive to maximise the impact of all services by collaborating with others; and**
- **A Council which safeguards vulnerable citizens, but wherever possible, seeks to develop a springboard, not simply a safety net, focussed on helping people to control their own lives and to stay safe and well.**

All employees have a role to play in helping the Council to manage information effectively. The quality and outcomes of strategic decisions the Council makes depend on the data we collect as part of our day to day jobs.

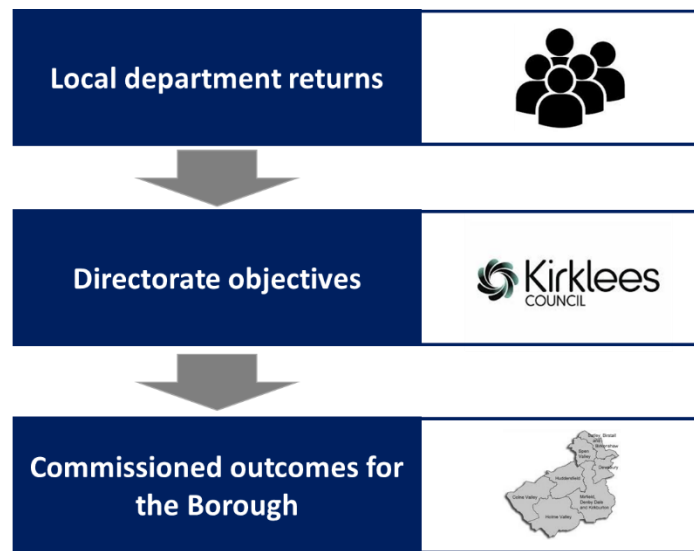


Figure 1 the value of information

## Strategy objectives

During development of this strategy, we spoke with many staff across the organisation. Throughout these conversations, key themes consistently emerged. These themes have become the overarching objectives of the strategy. These are:

- To ensure we are embedding the requirements of the General Data Protection Regulation (GDPR)
- Using information to create a resource for decision making
- To unlock the value of data, where it sits and how it travels, allowing the Council to have a strategic overview of its information
- Support culture change – to improve awareness of the importance of information management and embed excellent IM practices throughout the organisation
- To improve citizen experience through ‘tell us once’
- Train staff understand the value of information – in order to maximise access to high quality information in order for all staff to be able to unlock the value within
- Encourage collaborative working – by breaking down communication and technological barriers that prevent information from being shared appropriately
- Implement a more proactive information management function – focussing on communications, training and prevention rather than remediation
- Embed a collaborative culture - where knowledge is actively shared without compromising confidentiality
- Services work closely with IG and IT - to ensure appropriate infrastructure is available to support excellent information management

## Information management principles

The following principles have been agreed:

- Better informed citizens and businesses
- Information is a valued asset
- Information is managed
- Information is fit for purpose
- Information is standardised and linkable

- Information is reused
- Information is published
- Information is stored once, so there is a single version of the truth wherever possible
- Knowledge is captured and used
- Information will be owned and proactively managed
- Information will be shared with partners', subject to relevant IG controls

## **Benefits**

Whilst not necessarily immediately obvious, good information management provides many benefits to us all. These include:

### ***For citizens***

- Citizens are better informed
- Information is captured once and not repeated
- Better informed staff that are able to deal with queries and transactions quickly and accurately
- Confidence that the Council is using their personal information appropriately
- Better use of funding to ensure that Council money is used in the most appropriate way

### ***For staff***

- Access to high quality information needed to perform your job
- Confidence in knowing what to share and when it is appropriate to share
- Easier to search and use information, reducing wasted time trying to find or validate information
- Better awareness of your responsibilities resulting in a reduced risk of breaching policy or legislation
- Reducing the number of information access requests received by publishing more information as standard

### ***Corporate Organisation - including members***

- The Organisation and Members are better informed
- Members respond effectively to caseload enquiries
- Officers are confident their recommendations are based on true data and have strong evidential foundations
- Members are confident their decisions are effective and appropriate

### ***For the business***

- Enable the Council to assist with shared outcomes with Partners
- Reduce the risk of an information breach and resulting fine from the Information Commissioner
- Increase the efficiency of Council resources
- Access to accurate information in order to support policy and decision making
- Ability and preserved reputation of providing the highest quality service to its citizens
- Improved organisational knowledge of the information collected by teams

## **Challenges**

Council funding pressures are well documented, and it has become a constant challenge to find more efficient and modernised ways of working in order to continue providing services with limited funding.

Becoming an intelligence led organisation is a significant shift from the way the Council currently operates, which we recognise will not happen overnight. Our organisational culture must adapt to a new more self-sufficient way of working. We recognise asking staff to work in a more digital way can be daunting and are committed to supporting staff through this change.

Across the business, the following challenges that may affect the ability of this strategy to be implemented have been identified, along with our proposed mitigation actions:

<b>Challenge</b>	<b>Mitigating activities</b>
<b>Organisation going through significant change</b>	New projects implemented with 'privacy by design and default' so that information risks are identified early in the process
<b>Proliferation of information across many areas</b>	An information asset register to be completed by all teams. This documents all information assets held by the Council and provides a firm basis for managing information moving forward.  Agile working and collaboration technology to be implemented through the advanced adoption of Office 365, reducing the need for duplicate information stores
<b>Staff being asked to do more with less (become more self-sufficient)</b>	Training and support provided by the IG and IT teams
<b>Current levels of IT competence &amp; confidence with staff – being asked to work more digitally</b>	Training and regular, bite size communications to support staff with new ways of working
<b>Lack of control with records management</b>	Centralised paper records storage and a new electronic document management system.  Full information asset register to be completed to document all information assets held by the Council. This provides a firm basis for managing records moving forward.
<b>Risk reporting and management</b>	Information risks to be managed through the IG Board.
<b>How to manage and recognise subject access requests</b>	Training and communications for all staff.
<b>Operational management and ownership of IG issues</b>	Team managers asked to enhance understating and management of IG risks, with support from the IG team.

## High level action plan

This section details the activities that will be undertaken to support implementation of this strategy. A summary of activity is shown in the diagram below.

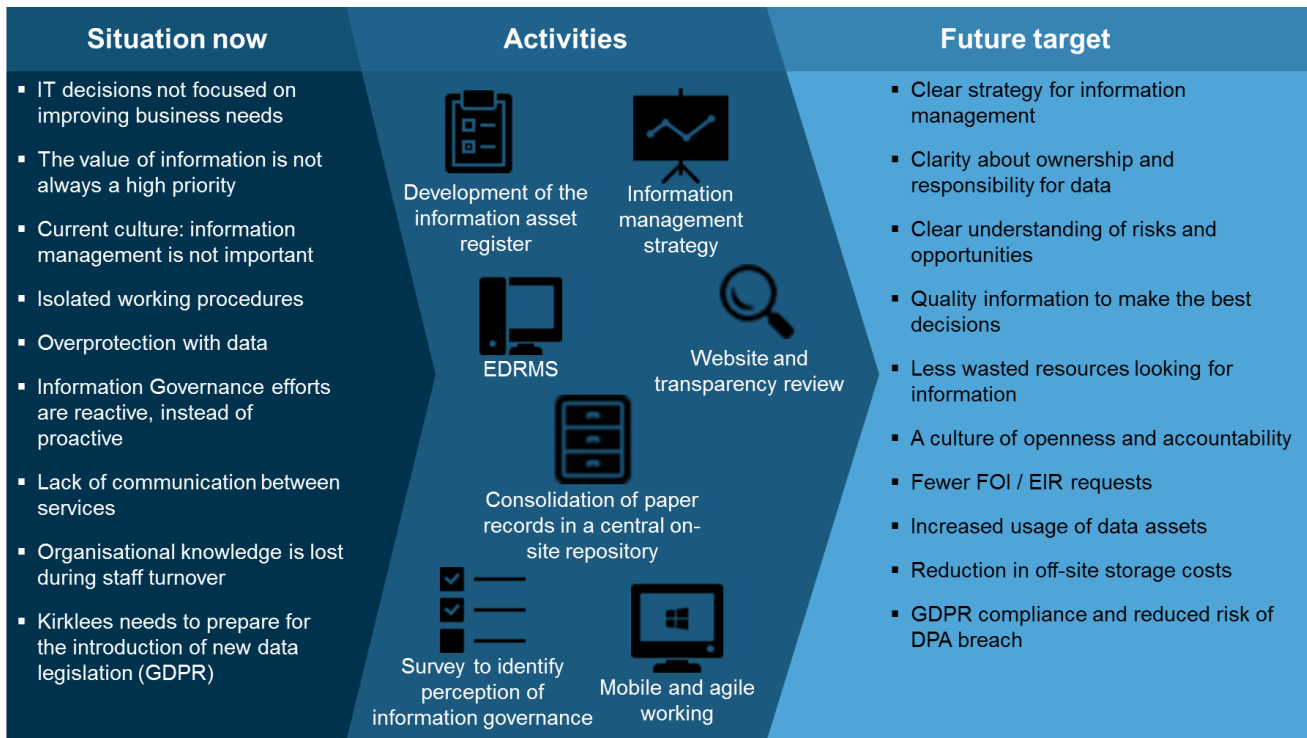


Figure 2 Future target model

### Specific objectives

The following specific tasks are set to be achieved before 2021:

- Develop and maintain the information asset register
- Provide a simple and secure method for sharing confidential information
- Develop a programme of training and support for change
- Develop the intelligence hub – which will focus on data driven decision making for the Council
- Complete a meta data project that will improve the use of meta data and make information easier to use, retrieve and manage
- Build information management as standard into projects, processes and systems
- System rationalisation must be considered when purchasing new data driven systems
- Implement privacy by design and default where information governance considerations are taken into account at the start of new projects
- Proactively publish more information, in order to reduce information access demand and improve transparency for the general public

### Current in-flight projects

The following projects are already underway:

- Implementation of the information asset register
- Mobile and agile working
- Digital by design
- Consolidation of paper records in a central on-site repository
- 'Spotlight' awareness raising
- Information Protection project – stage 1, labels and protective marking

### Upcoming projects

The following project are planned to be mobilised soon:

- Website and transparency review
- Electronic Document Management System (EDRMS)
- Information Protection project – stages 2 and 3
- Development of the intelligence hub
- Survey to baseline current perception of staff around information governance in line with NHS Data Security and Protection Toolkit requirements

## Training

We are committed to ensuring that staff have appropriate information governance training according to their role.

Training will be managed through the performance review system and linked with the People strategy.

Information Management training for all staff will be a development aim for 2019/20.

### ***Standard offering for all staff***

Standard data protection and information security training must be completed by all staff. The Council has invested in the Metacompliance ‘Spotlight’ solution that will deliver training in a more regular, bite size way that will support ongoing reminders and understanding of staff responsibilities.

### ***Additional training for specialist staff***

A training needs analysis will be undertaken to identify the training needs of employees that would benefit from advanced information management training, for example specialised courses for Information Asset Owners, General Data Protection regulations, or any of the topics in the table below.

Team managers are expected to liaise with the information governance team to plan relevant specialist training.

Confidentiality	Data Protection Act 2018	Freedom of Information
Records & document management	Information Security	Caldicott Principles
Appropriate information sharing	Incidents and data breaches	Information Risk Management

**Figure 3 Example IM training courses**

An example training needs analysis is included at Annex 1 for information.

## Documents and records management

The supporting records management [policy](#) details specific requirements for document and records management.

However, there are three key areas of document management that are identified for improvement as part of this strategy. These are:

### ***Email***



More and more valuable discussion and resulting decisions are taken by email. There is a risk that this information remains in personal email folders, where wider colleagues or departments have no knowledge that the information exists. Council records must be saved in a corporate file structure, able to be accessed by appropriate staff.

In order to encourage timelier document management, the IG Board will be implementing email policies and releasing guidelines to incorporate the new Office 365 tools when these are rolled-out to the Council.

### ***Document retention***

The Council will proactively monitor when records (electronic - including information held in line of business systems, and paper) have been held for the required retention period, to ensure that information is not being kept longer than necessary. The Council will develop a Corporate Retention and Disposal Policy and maintain records of disposal. The Information Asset Owners will approve their services Retention Schedules and disposal logs with Information Asset Coordinators ensuring Services maintain their retention and disposal schedules.

The Information Protection Project will utilise the Office 365 tools to embed retention schedules within documents and enable the auto deletion function which comes with the new system. Proposals for this implementation will come to the IG Board for sign-off.

### ***Archiving***

Work is currently underway to consolidate paper records in the new central archive facility at Red Doles Lane. This is a formal, structured way of managing paper records ensuring that proper inventories are used to support retrieval and identify records ready for disposal or permanent preservation.

The IG Board has approved the requirement for maintaining records based on the individual rather than the department those individuals accessed.

Electronic records management is being tackled by the Electronic Records Management task group, which will identify key risk areas and propose solutions for IG Board consideration.

### **Information access**

The Council provides the public access to information via the Freedom of Information Act, the Data Protection Act (for personal data) and the Environmental Information Regulations. Data sets are available through the Council's Observatory feature and this is provided by the Intelligence department to achieve the requirements of the Local Government Transparency Code (2014).

There are a number of changes required to current processes in order to remain compliant with changing legislation and ways of working. These are:

- GDPR reduces the time for responding to a DPA request from 40 to 30 days
- The Information Commissioner expects 90% compliance of FOI requests within the 20-working day limit
- The Council wants to reduce the demand (number of requests) by publishing more information proactively, allowing staff time to be repurposed
- The Council wants to ensure exemptions are applied fairly and appropriately, for example with regard to vexatious FOI requests. This may require collaboration across departments.
- The Local Government Transparency Code (2014) requires services to release data in a more accessible format

## **Publishing**

We will publish a transparency and publication strategy by the end of 2018/19. This will cover how we proactively publish more information to (1) the public, via the website and (2) internally for use by the intelligence team.

We will analyse freedom of information requests received by the Council, to understand common or regularly requested information and use this identify information that could be published more proactively.

The transparency strategy will also provide a framework to ensure that the intelligence team is aware of all data assets within the Council using the information asset register entries and can use these easily to support its work. The Council is committed to ensuring the intelligence team has access to timely, accurate and consistent information.

## **Business continuity**

The IG Board is responsible for the ongoing management of business continuity for data, ensuring risks are discussed and appropriate plans are prepared, should any adverse events take place.

## **Information security**

Cyber-attacks are a significant organisational risk. Attacks are becoming more sophisticated and frequent. The Council's Cyber Security Strategy has received sign-off at IG Board and Executive Team. This strategy will be implemented over 2019/20 to ensure the Council is as protected as possible against future attacks.

There are a number of technical measures that IT implement in order to prevent information security breaches, however preventing breaches requires all staff to be vigilant. Spam email or 'phishing' attacks are on the rise and can trick staff into releasing information and causing a breach. We will implement regular communications and training throughout the course of this strategy, to remind and keep staff up-to-date with best practice recommendations.

## ***Evidential weight***

Disciplined information management will ensure the Council can evidence proper processes and show that information has not been mishandled, should it be admissible to a court.

## **Partnership working**

Kirklees partners with a number of formal and voluntary organisations in order to provide services to local residents. We recognise the importance of transparent data sharing between partners, and as such commit to the following:

- All partners are expected to sign an Information Sharing Agreement with the Council
- Information is regularly published and made available which allows partners to plan services
- We will share information appropriately, and only when supported by an information sharing agreement
- We will publish transparent privacy notices to the public for all activities where personal data is collected or used

## **Measures of success**

The IG Board will monitor the implementation of this strategy. It will use the following measures to track success:

- GDPR Self-Assessment reporting
- Information security reporting figures
- Information access requests compliance figures
- Data Security and Protection Toolkit assurance rating
- Ongoing involvement of IG Team resources within Services

A successful strategy creates a Council which by April 1<sup>st</sup> 2021 is:

- Meeting the ICO's minimally acceptable compliance rates for GDPR, FOI and EIR
- Effectively managing all records, both paper and electronic
- Proactively sharing appropriate data with partners, with effective sharing agreements in place and reviewed annually
- Managing information security incidents and mitigating risk through thorough training and procedural improvement practices
- Privacy by Design and Default is embedded within working practices
- Publishing information to the public, improving transparency and reducing information access demand

The success of this strategy will be monitored at IG Board meetings and reported in the Annual IG Report, which is approved by IG Board annually and presented to Elected Members for challenge at Corporate Governance and Audit Committee.

## Appendix 1 – Example training needs analysis

Topic	Mandatory	Upper tier example content	Job roles
Confidentiality	Any particular confidentiality issues / wider threats  Examples of consent forms / where to find them	Access to national data sets	Caldicott Guardian IG / records manager Frontline staff Team leader / Manager
Data protection (DPA)	Overview of the number of requests in the last year / month	How to deal with complex subject access requests	IG / records manager Team leader / manager FOI / SAR officers
Freedom of Information (FOI)	Specific ‘where to go’ advice. Overview of the number of requests in the last month / year	Complex FOI requests	IG / records manager Team leader / manager FOI / SAR officers
Records and document management	Show pictures of your file structure / off site archive procedure. Contact details of your records manager / where to go for advice. Point to any guidance available on the intranet.	File structures Scanning technology	IG / records manager Team leader / manager Frontline staff
Information security	Specific password requirements, screenshots of the different systems. Different access controls for different systems? Physical security.  Business continuity overview	○	IG / records manager Team leader / manager IAO / IAA Frontline staff
Caldicott principles	Introduction to the principles  The role of the Caldicott Guardian		Caldicott Guardian IG / records manager Team leader / manager
Appropriate information sharing	What agencies do we share with at the moment	○ National projects ○ Working with partners	Caldicott Guardian IG / records manager Frontline staff Team leader / manager
Systems overview	Any particularly important IG factors relating to the systems that staff member will use	○ System audits	IG / records manager Team leader / manager IAO / IAA SIRO

Topic	Mandatory	Upper tier example content	Job roles
Incidents and data protection breaches	How to identify and report an incident	<ul style="list-style-type: none"> <li>○ Incident management</li> <li>○ Route cause analysis</li> <li>○ When to report to HSCIC</li> <li>○ When to report to ICO</li> <li>○ HSCIC incident reporting tool</li> </ul>	Caldicott Guardian IG / records manager Front line staff Team leader / manager IAO / IAA SIRO
Secondary uses of information	What is considered a secondary use	<ul style="list-style-type: none"> <li>○ Consent and fair processing</li> <li>○ Anonymisation and pseudonymisation</li> </ul>	Public health Caldicott Guardian SIRO

## ***Appendix C - GDPR Self-Assessment***

### **Self-Assessment Results Summary**

The IG Team ran a Self-Assessment for Council Services to measure their work towards compliance against the 10 GDPR deliverables. These Self-Assessments had a 100% response rate and the results were reported to Executive Team and all of the Information Asset Owners.

The first GDPR Self-Assessment was conducted through October 2018, against 9 of the deliverables. GDPR had only been in place for around 5 months and therefore Services were expected to be performing at a 'Planning' or 'Developing' level. There was a selection of responses from 'Not started' through to 'Established way of working' however most of the responses were within the 'Planning' or 'Developing' levels.

The second GDPR Self-Assessment was conducted throughout March 2019, against all 10 GDPR deliverables. As GDPR had been in place for almost 12 months, Services were expected to be performing at an Implementing or Established way of working level. Whilst there was still a mixture of response levels from Services, the levels were more focussed on the Implementing and Established way of working areas.

The third self-assessment was carried out during December 2019 and January 2020. The changes across each of the deliverables show less impact, and this will be taken on board by the GDPR implementation team throughout the coming period.

The graphs of the results for all Self-Assessments against each deliverable are shown below.

The Information Asset Owners (Service Directors) received the detailed spreadsheet with each Service's scores and comments. The IG team are working with the Information Asset Coordinators and Services, to support their process development and progress compliance into the Established way of working level.

These scores have been presented to the IG Board for comment and further action.































September 2018	April 2019	January 2020																														
<p><b>1. Governance</b></p> <table border="1"> <tr><td>Not started (1)</td><td>2%</td></tr> <tr><td>Planning (12)</td><td>23%</td></tr> <tr><td>Developing (24)</td><td>45%</td></tr> <tr><td>Implementing (15)</td><td>28%</td></tr> <tr><td>Established way of working (1)</td><td>2%</td></tr> </table>	Not started (1)	2%	Planning (12)	23%	Developing (24)	45%	Implementing (15)	28%	Established way of working (1)	2%	<p><b>1. Governance</b></p> <table border="1"> <tr><td>Not started (1)</td><td>3%</td></tr> <tr><td>Planning (1)</td><td>3%</td></tr> <tr><td>Developing (9)</td><td>29%</td></tr> <tr><td>Implementing (17)</td><td>55%</td></tr> <tr><td>Established way of working (3)</td><td>10%</td></tr> </table>	Not started (1)	3%	Planning (1)	3%	Developing (9)	29%	Implementing (17)	55%	Established way of working (3)	10%	<p><b>1. Governance</b></p> <table border="1"> <tr><td>Not started (-)</td><td></td></tr> <tr><td>Planning (1)</td><td>3%</td></tr> <tr><td>Developing (7)</td><td>23%</td></tr> <tr><td>Implementing (19)</td><td>61%</td></tr> <tr><td>Established way of working (4)</td><td>13%</td></tr> </table>	Not started (-)		Planning (1)	3%	Developing (7)	23%	Implementing (19)	61%	Established way of working (4)	13%
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<p><b>4. Data collection and use</b></p> <p>Not started (1) 2%</p> <p>Planning (13) 26%</p> <p>Developing (25) 50%</p> <p>Implementing (9) 18%</p> <p>Established way of working (2) 4%</p>	<p><b>4. Data collection and use</b></p> <p>Not started (1) 3%</p> <p>Planning (3) 10%</p> <p>Developing (10) 32%</p> <p>Implementing (13) 42%</p> <p>Established way of working (4) 13%</p>	<p><b>4. Data collection and use</b></p> <p>Not started (-)</p> <p>Planning (2) 6%</p> <p>Developing (11) 35%</p> <p>Implementing (14) 45%</p> <p>Established way of working (4) 13%</p>
<p><b>5. Retention and disposal</b></p> <p>Not started (1) 2%</p> <p>Planning (16) 31%</p> <p>Developing (23) 45%</p> <p>Implementing (11) 22%</p> <p>Established way of working (-)</p>	<p><b>5. Retention and disposal</b></p> <p>Not started (-)</p> <p>Planning (2) 6%</p> <p>Developing (12) 39%</p> <p>Implementing (15) 48%</p> <p>Established way of working (2) 6%</p>	<p><b>5. Retention and disposal</b></p> <p>Not started (-)</p> <p>Planning (1) 3%</p> <p>Developing (12) 39%</p> <p>Implementing (17) 55%</p> <p>Established way of working (1) 3%</p>
<p><b>6. Individuals' rights</b></p> <p>Not started (3) 6%</p> <p>Planning (19) 37%</p> <p>Developing (12) 23%</p> <p>Implementing (18) 35%</p> <p>Established way of working (-)</p>	<p><b>6. Individuals' rights</b></p> <p>Not started (1) 3%</p> <p>Planning (2) 6%</p> <p>Developing (3) 10%</p> <p>Implementing (15) 48%</p> <p>Established way of working (10) 32%</p>	<p><b>6. Individuals' rights</b></p> <p>Not started (-)</p> <p>Planning (1) 3%</p> <p>Developing (6) 20%</p> <p>Implementing (13) 43%</p> <p>Established way of working (10) 33%</p>
<p><b>7. Information security</b></p> <p>Not started (4) 8%</p> <p>Planning (19) 37%</p> <p>Developing (23) 44%</p> <p>Implementing (6) 12%</p> <p>Established way of working (-)</p>	<p><b>7. Information security</b></p> <p>Not started (-)</p> <p>Planning (2) 6%</p> <p>Developing (19) 61%</p> <p>Implementing (7) 23%</p> <p>Established way of working (3) 10%</p>	<p><b>7. Information security</b></p> <p>Not started (-)</p> <p>Planning (1) 3%</p> <p>Developing (18) 60%</p> <p>Implementing (5) 17%</p> <p>Established way of working (6) 20%</p>







































<p><b>8. Systems and technology</b></p> <table border="1"> <thead> <tr> <th>Category</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Not started</td> <td>1</td> <td>2%</td> </tr> <tr> <td>Planning</td> <td>6</td> <td>12%</td> </tr> <tr> <td>Developing</td> <td>30</td> <td>58%</td> </tr> <tr> <td>Implementing</td> <td>14</td> <td>27%</td> </tr> <tr> <td>Established way of working</td> <td>1</td> <td>2%</td> </tr> </tbody> </table>	Category	Count	Percentage	Not started	1	2%	Planning	6	12%	Developing	30	58%	Implementing	14	27%	Established way of working	1	2%	<p><b>8. Systems and technology</b></p> <table border="1"> <thead> <tr> <th>Category</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Not started</td> <td>-</td> <td>-</td> </tr> <tr> <td>Planning</td> <td>-</td> <td>-</td> </tr> <tr> <td>Developing</td> <td>16</td> <td>52%</td> </tr> <tr> <td>Implementing</td> <td>11</td> <td>35%</td> </tr> <tr> <td>Established way of working</td> <td>4</td> <td>13%</td> </tr> </tbody> </table>	Category	Count	Percentage	Not started	-	-	Planning	-	-	Developing	16	52%	Implementing	11	35%	Established way of working	4	13%	<p><b>8. Systems and technology</b></p> <table border="1"> <thead> <tr> <th>Category</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Not started</td> <td>-</td> <td>-</td> </tr> <tr> <td>Planning</td> <td>2</td> <td>6%</td> </tr> <tr> <td>Developing</td> <td>12</td> <td>39%</td> </tr> <tr> <td>Implementing</td> <td>12</td> <td>39%</td> </tr> <tr> <td>Established way of working</td> <td>5</td> <td>16%</td> </tr> </tbody> </table>	Category	Count	Percentage	Not started	-	-	Planning	2	6%	Developing	12	39%	Implementing	12	39%	Established way of working	5	16%
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***Appendix D – Local Government Transparency Code***

	2017		2018		2019		2020	
	MUST be published	Recommended for publication	MUST be published	Recommended for publication	MUST be published	Recommended for publication	MUST be published	Recommended for publication
<b>Expenditure Exceeding £500</b>								
	2 identifiers are not published: - Summary of purpose - Unrecoverable VAT		1 identifier is not published: - Unrecoverable VAT Personal data redacted where appropriate.		1 identifier is not published: - Unrecoverable VAT		1 identifier is not published: - Unrecoverable VAT	
<b>Government Procurement Card Transactions</b>								
	3 categories are not published: - VAT - Summary of purpose - Merchant Category		2 categories are not published: - VAT - Summary of purpose Personal data redacted where appropriate.		2 categories are not published: - VAT - Summary of purpose		2 categories are not published: - VAT - Summary of purpose	
<b>Procurement information</b>								
	Publishing contracts on Yortender £5k & above is not prescribed by procurement and £20k still remains the limit. Now publishing on Contracts Finder [.gov.uk site] – publishing >£25k as this is what is stipulated to procurement for non central government. The code asks for >10k.							
	2017		2018		2019		2020	
	MUST be published	Recommended for publication	MUST be published	Recommended for publication	MUST be published	Recommended for publication	MUST be published	Recommended for publication
<b>Local Authority Land</b>							N/A Publication Date Due	N/A Publication Date Due
	1 definite category is not published:		1 definite category is not published: - Land or building asset		1 definite category is not published: - Land or building asset		Delay to the publication of the data – currently working on data accuracy & timeliness of	

	<p>- Land or building asset</p> <p>The Electronic Property Information Mapping Service [EPims] is currently being trialled by the service. The type of date upload and frequency is being considered.</p>		<p>The Electronic Property Information Mapping Service [EPims] is currently being used by the service to publish this information too. The frequency of publication still remains yearly and not more frequent as stated in the 'recommended' element.</p>		<p>The Electronic Property Information Mapping Service [EPims] is currently being used by the service to publish this information too. The frequency of publication still remains yearly and not more frequent as stated in the 'recommended' element.</p>		<p>data to ensure the published version is accurate</p>	
<b>Grants to voluntary, community &amp; social enterprises and organisations</b>								
	<p>It is currently an annual publication due to the manual collation that is required so difficult to move to a dynamic or more frequent reporting schedule. Not possible to disaggregate by various sectors as currently not recorded.</p>							
<b>Organisation Chart</b>								
	<p>It is currently an annual publication due to the manual collation that is required so difficult to move to a dynamic or more frequent reporting schedule.</p>							

	2017		2018		2019		2020	
	MUST be published	Recommended for publication	MUST be published	Recommended for publication	MUST be published	Recommended for publication	MUST be published	Recommended for publication
<b>Trade Union Facility Time</b>		N/A		N/A		N/A		N/A
	There are no "Recommended" Requirements							
<b>Parking Account</b>		N/A		N/A		N/A	N/A Publication Date Due	N/A
	It is currently an annual publication due to the manual collation that is required so difficult to move to a dynamic or more frequent reporting schedule. Not possible to disaggregate by various sectors as currently not recorded. Published in October/November when the accounts are finalised.							
<b>Controlled Parking Space</b>								
	The information requested is available. Accessibility could be improved by offering aggregated figures [although this is not specified precisely in the guidance].							
<b>Senior Salaries</b>		N/A		N/A		N/A		N/A
	Information received from service is still not fully compliant. The code requires listed responsibilities for all positions with a salary of £50,000 upwards [not just for the first 3 tiers]. It is also missing budget levels & staffing numbers associated with each officer.		Information received from service is still not fully compliant. The code requires listed responsibilities for all positions with a salary of £50,000 upwards [not just for the first 3 tiers]. It is also missing budget levels & staffing numbers associated with each officer.		Information received from service is still not fully compliant. The code requires listed responsibilities for all positions with a salary of £50,000 upwards [not just for the first 3 tiers]. It is also missing budget levels & staffing numbers associated with each officer.		The published data now lists all positions with a salary of £50,000 upwards [not just for the first 3 tiers]. It now includes staffing numbers associated with each officer. Work is still required to detail budgetary responsibility.	

	2017		2018		2019		2020	
	MUST be published	Recommended for publication	MUST be published	Recommended for publication	MUST be published	Recommended for publication	MUST be published	Recommended for publication
<b>Constitution</b>		N/A		N/A		N/A		N/A
Direct feed to web link – if content changes, link will update.								
<b>Pay Multiple</b>		N/A		N/A		N/A		N/A
No comment to add								
<b>Fraud</b>							N/A Publication Date Due	N/A
Data now includes spend on investigation & fraud.							Delay to the publication of the data – currently working on GDPR related queries	
<b>Social Housing Asset Value</b>		N/A		N/A		N/A	N/A Publication Date Due	N/A
	Data routinely published in the month of September		Data routinely published in the month of September		Data routinely published in the month of September			
<b>Waste Contract</b>	Not applicable for Kirklees.							

**Anna Bowtell**  
**Corporate Services Intelligence & Performance Lead**  
**Intelligence & Performance Service**  
**October 2020**