

**4 March 2020****Agenda Item: 5****REPORT OF THE SERVICE DIRECTOR FOR CUSTOMERS, EMPLOYEES  
AND GOVERNANCE****INFORMATION GOVERNANCE - PROGRESS UPDATE****Purpose of the Report**

1. To provide Governance and Ethics Committee with an information governance progress update focussed upon delivery of:
  - the Council's Information Governance Action Plan for 2019/20; and
  - the second phase of the Information Governance Improvement Programme (IGIP) which aims to improve the Council's approach to electronic document and records management.

**Information**Information Governance Action Plan for 2019/20

2. In May 2019 Governance and Ethics Committee approved the Information Governance Action Plan (IG Action Plan) for 2019/20.
3. The IG Action Plan gives on-going visibility and momentum to the work of improving the Council's approach to information governance. It followed the successful conclusion of the first phase of the IGIP which had focused upon compliance with new data protection law which came into force in May 2018.
4. Some of the actions contained in the IG Action Plan arose from identified gaps in the Council's self-assessment against the Data Security and Protection (DSP) Toolkit. The Toolkit provides assurance that health and social care organisations are practising good data security and that personal information is handled correctly.
5. The table at Appendix A gives an overview of progress in delivering the IG Action Plan for 2019/20 as at the end of Quarter Three (the end of December 2019). The actions that also form part of the Toolkit Action Plan agreed with NHS Digital are marked with an asterisk (\*).
6. Positive progress has been made, with most tasks completed. A review has indicated that it is very rare for organisations to issue detailed performance reports on information governance

because they can expose organisational vulnerabilities and thus increase risk. Rather scrutiny and assurance of performance is usually attained through reports detailing the results of self-assessments against national or local standards frameworks.

7. This is the approach taken on the Council's approach to cyber security, with Committee being periodically updated on performance against advice published by the National Audit Office for Audit Committees. If there is not a national framework, the intention is to use the information governance audit framework used by Essex County Council to audit the Council in 2017. Progress on this will be reported to June's Committee as part of the quarter four update on the IG Action Plan. The performance report itself will then be brought to a subsequent meeting.
8. Aside from delivering the Action Plan, the Information Governance Team continues to undertake core business such as providing advice and support to departments; supporting the completion of Data Protection Impact Assessments (DPIAs); and coordinating the management of the Council's personal data breaches.

#### Information Governance Improvement Programme (IGIP): Document and Records Management

9. Phase two of the IGIP is focused on improving the Council's approach to electronic document and records management (EDRM), predominantly through exploiting advances in technology. The capabilities in Microsoft Office 365 (O365) should mean that documents and records will be retained only for as long as necessary; are reliable and retrievable but only by the people who are authorised to access them; are secured and protected according to their sensitivity; with maximum automation to achieve these ends.
10. In December 2019, an external consultancy was engaged to deliver two proof of concept SharePoint sites (specific document storages areas within O365) for sharing information with external partners. The brief was to automatically deliver controlled and governed sites and to build in EDRM capabilities, with a view to ultimately applying these across the whole of the Council's O365 estate (email, SharePoint, personal drives etc).
11. The work was helpful in generating active engagement from the business about specific requirements of external data sharing and in getting a better understanding of governance needs and EDRM capabilities. However, Microsoft had made some of the EDRM tools unavailable at that time and so they could not be tested as part of the proof of concept. These have since been restored, but the variety of computer operating systems across the Council means that some EDRM tools cannot currently be used consistently. ICT will be looking to update systems over the Spring / Summer 2020 to address this situation.
12. Legal Services currently practices robust EDRM but with a lot of manual intervention from their staff and they are unable to locally control access to their documents. Their management team is keen to put in place a cutting-edge, automated approach to EDRM built on O365. This would be an excellent test case for the Council since a lot of the building blocks of success are already in place (management commitment, structured records management, culture etc). However, ICT does not have the capacity or capability to support the service to achieve this ambition given the on-going demands of Cloud migration and the developing experience with this new technology. External expertise to support this work is therefore needed.
13. As originally scheduled, the IGIP will end in March 2020. Whilst the GDPR compliance phase of the Programme achieved all of its objectives, the EDRM phase has proved more

problematic for a number of reasons, many of which are also being experienced by the other Councils that are trying to progress this agenda. There is no facility to carry forward £150,000 which was unspent under the originally approved IGIP budget however it is possible to request an amount from contingency for next year in order to secure additional external support for some specific project work to make some tangible progress as part of the Programme. Members are therefore asked to approve that a request for £60,000 be sought as an allocation from contingency to fund a project for a pilot document management site in Legal Services and at least one further targeted project relating to document management in order to progress the objectives of the Programme.

14. In light of the difficulties in progressing the broader objectives of the Programme outlined above, it is also proposed that a review should be undertaken to revisit the scope of EDRM requirements for the Council and determine how and when they should be taken forward. This work should also identify risks as well as potential costs and the longer term funding requirements to progress this important work, taking a balanced and proportionate approach. It will be important to ensure that EDRM plans complement other Council technology led transformation (e.g. the Improving Customer Experience through Digital Development Programme); take account of the status of EDRM technology in O365 and its compatibility with the Council's IT infrastructure; and, if possible, are informed by the experiences other County Councils are having in implementing EDRM within O365.

### **Other Options Considered**

15. None. The Committee previously agreed that it would receive progress update reports.

### **Reason/s for Recommendation/s**

16. The Information Governance Action Plan contains those actions that improve the Council's compliance and performance on information governance and enable it to meet external standards for data security and protection as set out in the DSP Toolkit. The Committee previously agreed that it would receive progress update reports on the Action Plan.
17. The document management phase of the IGIP has been delayed. The ability to draw on contingency funding is necessary to fund the work as set out in paragraph 13 which will be linked with a review to determine the scope, scale and costs of further work.

### **Statutory and Policy Implications**

18. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **RECOMMENDATION/S**

- 1) It is recommended that Governance and Ethics Committee:

- a. Agree that approval for an allocation of £60,000 from contingency in 2020/21 be sought from Finance and Major Contracts Management Committee to fund a project for a pilot document management site in Legal Services and at least one further targeted project relating to document management in order to progress the objectives of the Programme.
- b. Authorise a cross cutting review be undertaken with input from colleagues in ICT, Information Governance and the Digital Development Programme as set out in paragraph 14 with the options reported to a future meeting of this Committee.
- c. Agree to receive a follow up/update report in June on the Information Governance Action Plan and that this be included in the work programme.

**Marjorie Toward**

**Service Director for Customers, Employees and Governance**

**For any enquiries about this report please contact: Caroline Agnew (ext. 73760)**

#### **Constitutional Comments (HD 12/2/2020)**

1. The proposals within the report fall within the remit of the Committee

#### **Financial Comments (RWK 13/02/2020)**

2. The report is seeking an allocation of £60,000 from contingency in 2020/21 to fund a project for a pilot document management site in Legal Services and at least one further targeted project relating to document management in order to progress the objectives of the information governance programme.

#### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

#### **Electoral Division(s) and Member(s) Affected**

- All.