Nottinghamshire County Council

REPORT OF THE CORPORATE DIRECTOR, ENVIRONMENT & RESOURCES & SENIOR INFORMATION RISK OWNER

INFORMATION STRATEGY 2014-2018

Purpose of the Report

1. To inform elected members of the current situation in respect of the council's interaction with the Information Commissioner's Office, and the consequences that arise from this.

2. To provide a brief overview of information management and governance and how it affects the work of the council.

3. To present the information management strategy 2014 – 2018 which will facilitate the delivery of the information management and data quality policy approved in September 2013.

Information and Advice

4. This strategy has been developed to deliver the Information Management and Data Quality Policy approved by the policy committee in September 2013. Work has been ongoing since the approval was granted in order to identify the activities needed to ensure that the council can comply with its policy commitments. The presentation of this strategy has been delayed to take account of the requirements laid out in the undertaking to the Information Commissioner signed by the Chief Executive

Information Commissioner

5. The Information Commissioner is a government appointed officer responsible for ensuring that organisations comply with the Data Protection and Freedom of Information Acts and other legislation and regulations dealing with how information is collected, used and shared. The Commissioner has wide ranging powers at his disposal where these Acts and regulations are breached.

6. As a result of a previous incident and in response to a request from the Information Commissioner, the Council has signed a formal undertaking committing to taking certain actions to mitigate the risk of data loss occurring.

7. The undertaking, signed by the Chief Executive, commits the council to:

   ➢ Ensuring that all staff who handle personal data as part of their role and use a pc or provide front line care undertake the mandatory data protection and information governance training by the end of December
   ➢ Making a decision about the frequency at which refresher training will be provided by the end of November

- ➢ Reviewing policies and procedures to ensure consistency across the organisation within 6 months.
- ➢ Approving and Adopting an Information Governance Strategy (Information Strategy) with defined timescales for implementation by the end of December
- ➢ Implementing other appropriate security measures to ensure that personal data is protected.

8. Work is now in progress to deliver these commitments and the information strategy forms a part of this. The information strategy encompasses both information governance and management to provide a solid foundation for the council's strategic plan and ensure that we protect the information of our citizens and service users.

9. The consequences of failing to deliver the undertaking commitments are significant in that the information commissioner may issue an enforcement notice and has the power to issue a fine of up to £500,000.

Overview of Information Management and Governance

10. As information is an asset to the council it is important that it is afforded the same consideration as other assets and managed to ensure that the maximum value for money is achieved. This means that it needs to be managed through its lifecycle to ensure that the money spent on its storage, protection and accessibility is still appropriate. Where information has no value to the council and is not required for legal or statutory compliance it should be destroyed and the money spent on its management and storage used to pay for more useful activity.

11. Effective information management is a foundation for efficient and effective service delivery as it ensures that the right information is available at the point of need. With the strong drive for services to be mobilised to improve efficiency and customer satisfaction, the right information at the right time in the right place is becoming an essential rather than desirable part of the new work style and service delivery model.

12. Information management establishes the protocols that govern the way that we create, store, share and ultimately dispose of information that the council uses for its day to day delivery of services. This includes procedures relating to information security, how long we keep information for and what information we collect from our service users and how we deal with it.

13. Information Governance provides a framework to bring together all of the requirements, standards and best practice that apply to the efficient handling of records and information, risk management and compliance with legislation.

14. The council has a duty under the Data Protection Act to manage information properly and only use the information we collect about people for the purpose for which it was obtained. To address this duty the council adopted the Information Management and Data Quality Policy last year and at that time committed to a number of actions to protect and preserve the council's information estate. Since then a significant amount of progress has been made:

- • Governance structure has been developed and is embedded in the strategy
- • Secure email has been deployed
- • Basic skills training has been designed and deployed and all relevant staff will have been trained by the end of November

- A statement about information confidentiality has been included in the statement of particulars for new staff contracts
- Information Risk register is in place
- Information Asset Register has been designed and deployed and is now being populated

15. This, however, is only the start of the work needed to be completed to bring the council up to the standard expected of an organisation of this size and complexity.

Information Strategy

16. The Information Strategy (Appendix A) builds on the work that has been undertaken over the last 12 months to create a structured regime of information management that reduces the risks related to data loss and ineffective information management for the council and makes valuable information more accessible. The strategy also states the council's specific attitude to risk in relation to information. (See paragraph 3 of the Strategy)

17. The key deliverables of the strategy aim to ensure appropriate and proportionate protection of our information and that of our service users while facilitating flexibility of delivery to support efficiencies. Supporting this will be a regime of bi-ennial training for information governance, management and security to ensure that our staff have the knowledge and skills to protect the information they are responsible for.

18. The strategy also supports the move towards managing information as a valuable and valued asset of the council which has a cost as well as a benefit. It builds in a review of the existing information estate to remove redundant outdated and trivial information which is costing money and has no value to the organisation.

19. Some intangible benefits will accrue to the service delivery aspects of the council through improved access to relevant and timely information at the point of need, but these cannot be quantified at this stage.

20. As part of the implementation of the strategy, work will need to be undertaken to identify the costs for some of the activities needed as part of the ICT delivery. Some of these activities will be covered by the existing ICT Strategy, whereas others may attract additional expenditure. This expenditure will be identified and appropriate business cases will be presented at the relevant time.

21. In addition to ICT costs it has been identified that the current resource applied to the delivery of information management and governance is inadequate to deliver the additional requirements of the strategy. Additional temporary resources will be needed in order to ensure that the timescales are met and the maximum benefit derived in the shortest possible time.

22. The strategy includes a high level implementation plan. A more detailed plan will be presented for approval by the information management group in late November.

Other Options Considered

23. None

Reason/s for Recommendation/s

24. The information strategy supports the delivery of the information management and data quality policy.

25. Effective management of the information estate identifies and protects the more valuable assets whilst making them more accessible to those who need them. It also provides the opportunity for increased productivity through reduction in time spent searching for the correct information.

26. Effective governance ensures that the council complies with legislation and its duty of care to the information held about our citizens and service users.

Statutory and Policy Implications

27. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

Appropriate business cases will be presented for identified additional expenditure needed to deliver the activities of this strategy.

Human Resources Implications

Additional temporary resources will be needed in order to support the existing resource available to deliver this.

Human Rights Implications

The Human Rights Act safeguards the right to a private life, including the right to respect for personal information, under Article 8 of the European Convention on Human Rights. The Council may only interfere with these rights in certain limited circumstances and only where it is necessary and proportionate to do so. The Data Protection Act puts safeguards in place for the protection of personal information. However it also allows the Council, in appropriate circumstances, to share information without consent, for example in relation to the investigation of a crime or a child safeguarding matter; where there is a balance to be struck between the rights of individuals and other competing interests such as the protection of public safety or the prevention of crime. The proposed Information Management strategy is designed to assist the Council to comply with the requirements of the Data Protection Act in line with the requirements of the Human Rights Act.

Safeguarding of Children and Vulnerable Adults Implications

Access to accurate and up to date information may facilitate safeguarding in a timelier manner.

Ways of Working Implications

Allows for an increase in flexibility, through confidence that appropriate and accurate information is available at the point of need.

RECOMMENDATION/S

1) That the information strategy is approved and adopted.
2) That it is recognised that additional resource and funding will be required to deliver this strategy and that appropriate business cases will be presented in respect of this.

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Constitutional Comments (HD – 21/10/2014)

28. The recommendations fall within the terms of reference for Policy Committee [HD-21/10/2014]

Financial Comments (SEM 22/10/14)

29. There are no specific financial implications arising directly from this report.

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.

- Information Commissioner's Office undertaking signed by the Chief Executive

Electoral Division(s) and Member(s) Affected

- 'All'

Information Strategy 2014 – 2018

Introduction

1. This strategy identifies how the effective governance and efficient management and use of information and data supports the Strategic Plan 2014 -2018. The Council has committed to get best value from our assets, make maximum use of technology and to ensure that our workforce has the right skills. This strategy also facilitates the active contribution of staff to the continuous improvement of services.

2. The Council commitments relevant to Information are set out in the Information Management and Data Quality Policy, approved by Policy Committee on 18 September 2013. These are:

   ➢ To be compliant with all relevant legislation;
   ➢ The creation and capture of accurate business information, data and records;
   ➢ To review and appropriately dispose of information, data and records that are no longer required;
   ➢ To ensure information security;
   ➢ To conform to all legal and statutory requirements;
   ➢ To ensure that all staff have been made aware of their duty of care and appropriately trained in order to deliver the commitments of this policy
   ➢ To ensure accuracy of all information, records and data held by the Council
   ➢ To collect information once and utilise it appropriately to deliver a range of services
   ➢ To only collecting information that is necessary for the delivery of services.

3. Alongside the Council's Information Management and Data Quality Policy the Council has an agreed Risk Management Strategy (November 2011). In relation to Information Governance the Council's risk appetite is to have an open attitude, measuring the risks carefully against potential benefits and options for successful delivery.

4. The Council holds and processes significant volumes of personal and sensitive information which is necessary for the efficient and effective delivery of services. It is therefore essential due to the size and diversity of the Council, that the Information Strategy is flexible and responsive to changes in risks and services delivered.

Information Governance in context

5. Information Governance provides a framework to bring together all of the requirements, standards and best practice that apply to the efficient handling of records and information, risk management and compliance.

6. The need for information governance stems from the Council's responsibility towards its citizens and customers. This is a challenge for all public sector organisations and is becoming an increasingly important issue for the Council. Access to reliable information is an essential component of meeting these responsibilities.

7. The Council is committed to preserving the confidentiality, integrity and availability of all its physical and electronic information systems and records in order to provide assurance that the organisation manages its information risks:

   ➢ So that the needs of service users and citizens and the requirements of good governance are met;
   ➢ To establish confidence that partnership arrangements involving the sharing and exchange of information are legal and secure;
   ➢ Design and implement security processes that are effective;
   ➢ Ensure confidence that services and products are provided by our suppliers and partners who manage information risks on behalf of the council in a way which is fit for purpose.

8. The need for a comprehensive information governance framework also arises from:

   ➢ Legal (legislation and common law), regulatory and contractual requirements;
   ➢ Corporate governance;
   ➢ Business and service delivery;
   ➢ Protecting the public purse;
   ➢ Business continuity requirements;

Information Management explained

9. Information management deals with the creation, storage, access, protection and lifecycle of information and data. This is now an important issue for the council as there is an increased need to focus on the overall value and accuracy of information, how it is used, stored and protected.

10. Information is central to the council and its decision making processes, it therefore needs to be accurate and accessible to those who need it at the time and place that is required.   To make this happen the council needs to ensure that its information is managed to deliver:

    ➢ Secure access to information for those who need it
    ➢ Properly structured information and data storage
    ➢ Lifecycle management for both electronic and physical information, data and records
    ➢ Effective security measures both technical and procedural to ensure information and data is protected.
    ➢ Effective governance regimes for the creation and development of information systems and repositories

Information Strategy 2014 – 2018

11. The information strategy outlines our approach to managing our information assets to achieve the right balance between making information accessible to those who need it, whilst ensuring that adequate protection is in place.

12. The aim of this strategy is to ensure that the council meets its information management and security responsibilities ensuring that Nottinghamshire residents, customers, partners and suppliers have confidence that information, both personal and non-personal, is handled and

stored with due regard to its value and risk, where individuals understand the importance of using it correctly, sharing it lawfully and protecting it from improper use.

13.   These requirements for security, integrity and accessibility will be met as part of service delivery and the primary means of achieving this is to follow good information handling practices.

14.   Although there is an increasing emphasis on the electronic delivery of services and storage of information the Council will continue to retain a significant proportion of its information in more traditional formats which are also covered by this Strategy.

Strategic objectives

15.   The Council's Information Strategy will deliver:

Skills

➢   Provide ongoing training and awareness for all staff to embed a culture of care and responsibility in the handling of all information throughout the council.

Security and ICT Systems

➢   implement and operate proportionate controls that apply best practice standards to protect information assets whilst facilitating access to them for those who are authorised to use them

➢   identify and manage information assets corporately and introduce an information risk management regime that balances risks with opportunities.

➢   work towards creating systems that effectively manage information lifecycles

Accessibility

➢   ensure that the infrastructure and processes for service delivery can provide the right information to the right people at the right time for the right purpose.

➢   implement effective information sharing arrangements with partner organisations to support service delivery

Efficiency

➢   identify and support effective practice in the management of information across all business areas, including preventing duplication of effort and enabling efficient use of resources.

➢   commit to an approach for the continuous improvement of information governance recognising the rapid changes in the way the Council operates and the introduction of new technologies along with learning from the experiences of others.

Quality

➢ implement efficient and effective data quality arrangements to ensure information, data and records are accurate, consistent and meets the needs of users.

Compliance

➢ achieve required standards to comply with legislative, regulatory and contractual obligations and relevant policies.

Reporting, monitoring and reviewing

16. The Council's Policy Committee has responsibility for the approval of and changes to the Information Management and Data Quality Policy and the Information Strategy. A report will be produced by the Senior Information Risk Owner (SIRO) on an annual basis to enable members to monitor progress and performance in managing information.

17. The SIRO is responsible for leading and fostering the organisational culture that values, protects and uses information for the public good. In order to achieve this, an information governance and management structure has been developed to provide management oversight and strategic direction. (See appendix A for how this structure is presently enabled). The SIRO chairs a corporate Information Management Group, comprising senior officers from the departments (including the Caldicott Guardians). This group is responsible for setting the strategic direction and provides oversight of implementations. The reporting route for the Information Management Group is through the SIRO to the Corporate Leadership Team and elected members. An Information Governance Delivery Group supports through practical work and is tasked with developing initiatives, disseminating information and acting as champions for information governance and management issues within the departments. The delivery group reports to the Information Management Group.

Implementing the Strategy

18. Implementing this Strategy will occur over the short, medium and long term. A more detailed implementation plan will be approved and monitored by the Information Management Group.

19. In the short-term (March 2015) the Council focus will be on:
➢ Staff training and awareness and agreeing the approach to refresher training
➢ Developing a regular communications approach to staff about Information Governance issues
➢ Desktop review of policies and procedures to ensure consistency across the Council
➢ Review the Information Management and Data Quality Policy 2013 and, where appropriate, update.
➢ Implementing the Government's Transparency Code 2014
➢ Reviewing and updating the Council's Publication Scheme
➢ Defining a clear reporting process for information governance and management through the Performance Management and Benchmarking programme

20. In the medium-term (2015 – 2016) the Council focus will be on:
➢ Developing the content of the Information Asset Register as a tool to inform decision making and understand risk relating to information which the Council holds

- ➢ Record retention and destruction
- ➢ Information management and data quality systems, tools and infrastructure
- ➢ Providing a good consistent quality of information and data
- ➢ Reviewing Information Sharing protocols

21. In the long-term (2017 – 2018) the Council will focus on:
- ➢ All Information Governance and Management Policies, Procedures and Guidance being reviewed and, where appropriate updated
- ➢ Developing a resource area for tools and guidance relating to Information Governance
- ➢ Ongoing awareness and training for staff whose roles involve handling sensitive personal data

22. The implementation plan will be reviewed annually and updated as appropriate.
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Information Governance Framework

Policy Committee

Corporate
Governance Group
(CLT)

SIRO
Tim Gregory - Corporate Director
Chair of Information Management Group
Lead for IM Issues and Publicity
Responsible for Overall compliance by the Council

Executive Layer

Departmental Management Team

Service Directors - Information Asset Owners
Responsible for implementation of corporate IM standards

Departmental Information Management Groups

Group Managers - Information Asset Managers
Responsible for undertaking risk assessments
Responsible for ensuring that appropriate training is available and undertaken

All Staff
Compliance with IM& IG Standards

Team Managers - IM Leads
Day to Day responsibility for operational issues under the policies adopted

Departmental Layer

Information Management Group
Sets the strategic direction for information management and governance and provides oversight of implementations

Corporate Layer

Information Governance Delivery Group
Tasked with developing initiatives, disseminating information and acting as champions for information governance and management issues.

Specialist Support Staff
Provide technical expertise to support the work of the delivery group and the Information Management Group

Strategic Operations (Virtual Team)