

## NORTH LINCOLNSHIRE COUNCIL

### FINANCE AND GOVERNANCE CABINET MEMBER

#### INFORMATION GOVERNANCE FRAMEWORK UPDATE

##### 1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To consider and approve a series of updates to the council's Information Governance Framework.
- 1.2 The key points in this report are as follows:
  - The council is required to undertake a regular review of its Information Governance Framework and associated policies in order to demonstrate legally compliant practice.
  - A series of updates to the specific Information Governance policies contained within the overarching framework are proposed to reflect changes in legislation and national professional guidance.

##### 2. BACKGROUND INFORMATION

- 2.1 Information is a key council asset and it is crucial that it is looked after with the same care as other important assets, such as finance, people, land and property.
- 2.2 The Information Governance Framework comprises a series of specific policy and procedural schedules relating to the management and security of information and personal data. They set out how the council will comply with legal and best practice requirements governing information management. These requirements include the UK General Data Protection Regulation / Data Protection Act 2018 and the Freedom of Information Act.
- 2.3 GDPR has been retained in domestic law since the UK left the European Union but the UK now has the independence to keep the framework under review. The 'UK GDPR' as it is now known sits alongside an amended version of the Data Protection Act 2018.
- 2.4 The overarching framework has been updated to include:
  - alignment with UK GDPR
  - data quality as part of the Information Governance Framework
  - an update to the name of the Caldicott Guardian for Health
  - the removal of references to Request for Information (RFI) Co-ordinators who have ceased to exist following the centralisation of the RFI process

- a re-referencing of the Information Complaints Policy, which is now Schedule 06A
- the recently updated Digital Technologies Policy which was formerly part of the HR Manual.

2.5 In addition updates have been made to specific information governance policy schedules, specifically:

### **Records Management Policy**

The policy has been updated to include:

- new provisions for the process management and retention of electronic information including emails

### **Data Protection and Confidentiality Policy**

The policy has been updated to include:

- reference to the UK GDPR
- further detail about Joint Data Controllers,
- an updated definition of a competent authority in line with national guidance
- detail about international data transfers to reflect the UK's new status post Brexit

### **Data De-identification Policy**

The policy has been updated to include:

- updated guidance on the scanning and redaction of documents
- reference to considering the duty of confidentiality when sharing information relating to a third party who is deceased

### **Caldicott Plan**

The policy has been updated to include:

- reference to the Caldicott Guardian Council and National Data Guardian
- further clarify on the Caldicott roles and responsibilities
- updated Caldicott Principles and the results of the third Caldicott review

### **CCTV Policy**

The policy has been updated to include:

- an update to the approval procedure for new cameras and schemes
- details of how the Police view Security Control Centre images under the Crime and Disorder Act 1998,
- reference to the fact that body worn cameras have sound recording

## **3. OPTIONS FOR CONSIDERATION**

3.1 Option 1: Approve the updated Information Governance Framework.

3.2 Option 2: Amend or reject the updated Information Governance Framework.

#### **4. ANALYSIS OF OPTIONS**

4.1 Option 1 is recommended as the reviewed framework is required to take into account updated legislation and new national guidance.

#### **5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT COMMUNICATIONS etc.)**

5.1 The Information Governance team will lead and support the implementation of the revised policy and its embedding across the council.

5.2 Failure to comply with Information Governance legislation can result in the Information Commissioner imposing significant fines under the UK General Data Protection Regulation / Data Protection Act 2018.

#### **6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)**

6.1 Information Governance risk has been considered as part of the review of the Information Governance Framework.

#### **7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)**

7.1 Data Protection is an integral part of the Integrated Impact Assessment and no adverse impacts have been identified. The Information Governance Framework makes provision to meet the equality and privacy needs of individuals.

#### **8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED**

8.1 Consultation is not applicable.

8.2 No conflicts of interest have been identified.

#### **9. RECOMMENDATIONS**

9.1 That the proposed changes to the Information Governance Framework as detailed in the report are approved.

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Date: 5 March 2021

#### **Background Papers used in the preparation of this report**

ICO Guidance

Relevant legislation and guidance

Appendices – Policy Schedules as specified at paragraph 2.5 and Information Governance Framework