



Meeting	ECFRS Performance & Resources Board	Agenda no.	8
Meeting Date	31 August 2022		
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Subject	Information Governance Audit		
Type of Report	Information		
PFCC Action Point No.		For Publication	Yes

RECOMMENDATION(S)

The purpose of this report is to inform members of the ECFRS Performance & Resources Board of the findings of the recent audit as well as the action plan that went with the audit, Appendix A (Audit Report spreadsheet).

EXECUTIVE SUMMARY

Following the recent transition of both the Information Governance Team and Systems and Data Team over to the Corporate Services Directorate, a full audit of the Services Information Governance function has taken place through IG Services. In parallel with this a re-organisation to amalgamate the Systems and Data Team with the Information Governance Team has also taken place. The audit has identified a number of areas for improvement which will be reviewed through the Information Governance Board for compliance, and this will subsequently be monitored through ECFRS Continuous Improvement Board (CIB).

BACKGROUND

An internal audit of all Information Governance processes and policies was conducted by the Data Protection Officer in March 2022. As a result, the overall rating was "Partially Compliant" with an action plan to achieve "Good Assurance".

SIRO, DPO, and DDPO have been working on the action plan across the service for the past five months. There have been a few steps taken to cover relevant actions, including:
The closure of W-Drive.

- The implementation of compliant procurement processes.
- An audit of Surveillance.
- An improvement in the reporting of data breaches.
- Confidential waste awareness.

The Audit report and action plan with progress can be found in Appendix A (Audit Report spreadsheet).

OPTIONS AND ANALYSIS

P&R Board to observe action plan and commit to the Service carrying out all actions needed to get us to a state of compliance.

RISKS AND MITIGATIONS

During the audit, seven risks were identified and entered into the risk register. This document contains a section on “*legal implications*” that describes each risk and the progress made from March to August 2023.

LINKS TO FIRE AND RESCUE PLAN

Digital & Data Strategy
Infrastructure and Security (Annual Plan)
Data Quality (Annual Plan)

FINANCIAL IMPLICATIONS

Please include breakdown and any on costs if the matter is staff related.

LEGAL IMPLICATIONS

1. Contracts with suppliers and partners. If legally complaint contracts are not in place, ECFRS could receive a financial penalty from the ICO. **Action:** Risks have been mitigated. DDPO and DPO have updated templates and revised processes with Procurement Manager. They agreed on appropriate data processing agreement schedules. An end-to-end procurement process for staff has also been approved by the IGB and will be launched before the end of this year.
2. Surveillance needs to be managed in line with legal requirements and regulatory guidance which could result in personal data breaches. This could lead to reputational damage and regulatory censure, including monetary penalties and claims for compensation. **Action:** The DPO and DDPO conducted a Surveillance audit, and an action plan will be developed. In addition to the action plan, a draft of a surveillance policy has been created.
3. Processing of personal data leading to regulatory censure. The law requires ECFRS to have clear privacy notices in place which cover all processing of personal data. This should be available on your website and signposted from all forms or activities where personal data is collected or used. **Action:** The privacy policy on the ECFRS website is now reviewed and published, however the other Privacy notices need to be reviewed.
4. Inappropriate sharing of personal data, due to poor understanding of legislation resulting in regulatory action or fines by the ICO, reputational damage or potential harm to individuals and claims for compensation.
5. Use of Personal data can breach the data protection principles. This happens when personal data is collected unnecessarily, for example because it is already held elsewhere in the Authority, or excess personal data is collected for a specific purpose, or personal data is duplicated across systems due to poor records management. Non-compliance with the data minimisation principle could result in reputational damage, regulatory censure and harm to individuals.
6. Where personal data is not controlled, retained or destroyed in line with data protection law or the S46 records management code of practice. Records are stored across multiple storage areas, leading to duplication, inaccuracies and an inability to respond to statutory requests for information within legal timeframes.

This could cause ECFRS reputational damage, regulatory censure, increased workload, and damage the trust of staff, the public, and suppliers.

7. Staff who manage information on behalf of the Authority (including volunteers) may unknowingly breach data protection policies and guidance due to lack of awareness, communication and training. This can result in regulatory action or fines by the ICO, potential harm to individuals and claims for compensation. **Action:** The risk has been mitigated. A module called “*Data Protection Essentials*” has been published in May 2022 to help staff fully understand their responsibilities. DDPO has provided face-to-face data protection training to areas such as procurement and NE station management.

STAFFING IMPLICATIONS

No staffing implications associated with this paper.

EQUALITY AND DIVERSITY IMPLICATIONS

We have considered whether individuals with protected characteristics will be disadvantaged as a consequence of the actions being taken. Due regard has also been given to whether there is impact on people who identify as being part of each of the following protected groups as defined within the Equality Act 2010:

Race	X	Religion or belief	x
Sex	X	Gender reassignment	x
Age	X	Pregnancy & maternity	x
Disability	X	Marriage and Civil Partnership	x
Sexual orientation	X		

The Core Code of Ethics Fire Standard has been fully considered and incorporated into the proposals outlined in this paper.

HEALTH AND SAFETY IMPLICATIONS

No health & safety implications associated with this paper.

CONSULTATION AND ENGAGEMENT

To include rep bodies, boards, external agencies

FUTURE PLANS

Make sure that all staff within ECFRS adopt best practices in accordance with relevant legislation to bring the Service into compliance.

LIST OF BACKGROUND PAPERS AND APPENDICES