Powys

Economy, Residents and Communities Scrutiny Committee

Scrutiny Observations to Cabinet on: ??

The Economy, Residents and Communities Scrutiny Committee undertook a virtual scrutiny of the following documents:
- Annual Information Governance Report 2021-2022

Scrutiny made the following observations:

Section 3:

Clarification:
- Consideration be given to elements of the plan being grouped in terms of priority / significance to clarify that the most important actions have been completed or the inclusion of a statement such as "Of those not complete, none are considered to be creating a risk and a plan is in place for all to be treated taking account of the urgency of each one".   - The standard to which elements in the plan are completed and what this means for data security.   - Why the timescale for the 32 elements had been revised and when would they be completed.   - Why 2 elements were unlikely to be completed in the timescale, and 3 were out of the timescale.   - The total number of elements comes to 60 rather than 61.
Questions:
- Whether the number of reported incidents has increased due to better reporting or familiarisation with the policy to report data breaches.   - To complete the plan to timescale should the CIOG meet more often than every 6 weeks.   - Why were elements of the plan not completed.
Comment:
- Disappointed that as at 31-03-22 only 23 of 61 elements completed (38%)   - Reasonable progress against the plan and further time will see a further 52% achieved.   - Almost impossible to achieve 100% completion.

Section 4:

Clarification:
The numbers of staff required to take annual training and the process for renewing training to ensure compliance.
Questions:

• What actions are being taken with those areas of the organisation with high levels of non compliance.
• Is there an understanding why staff and Members were not completing their training and what was being done to address this.
• Why is staff compliance rate decreasing.

Comment:
• Training needs to target the services where breaches are most prevalent.

Section 5:

Clarification:
• Understanding of incidents reported and determination of data breaches and the reporting process.
• Understanding of why we are having data breaches and are they significant or minor.

Questions:
• Is there any correlation between the data breaches and those who did not undertake the training.
• Is there a pattern of incidents.
• What action is being taken to address incidents and reduce the breaches.
• Why is the reason for incidents not known.
• Why has the number of incidents increased.

Comment:
• The rise in breaches is an issue as we have received comments and recommendations from the Information Commissioner's Office.

Section 6:

Clarification:
• How many FOI requests were rejected and how much resource is taken up responding to requests.
Questions:
• Has any research been done to find out how to reduce the number of requests received and if all information was readily available in the public area would this reduce requests.
• Is the delay in responding to requests due to officer workload or another factor.
• What is the impact of non compliance – increased inspection or cost of officer time, fines or poor reputation or lack of confidence in the Council.
• What action is taken if a service is late responding.
• Why is there a low compliance rate for SARs.
• What can be done to mitigate a 11% increase in SARs.
Comment:
• Reasonable compliance across most request types.

Section 11:

Clarification:
• Details of who is the Senior Information Risk Owner and where they sit in the staffing hierarchy.

• Why is electronic information stored in a hard copy.
• Could the FTE for staff be provided as difficult to assess whether staff are full or part time.
Questions:
• What penalties can be imposed on the Council if training requirements were not met.
• Is there a role for the Governance and Audit Committee in oversight of the governance of Information Management.

Section 12:

Clarification:
• An index of abbreviations / acronyms to assist the reader's understanding.
Questions:
• Have the main risks been identified and are measures in place to minimise those risks.
• Is there a need for more staff and resources for training.
Comment:
• Appreciate that in relation to organisational non-compliance 69% in April 2021 and 59% in March 2022 relates to Highways, Transport and recycling and Housing and Community Development where employees do not have laptops and further work is required.
• Progress is clearly being made.

Any Other Questions / comments:

• The numbers of breaches of compliance in Adults and Children's Services is of concern.

Scrutiny's Recommendation to Cabinet	Accept (plus Action and timescale)	Partially Accept (plus Rationale and Action and timescale)	Reject (plus Rationale)
1 That the Cabinet be requested to provide the scrutiny committee with: (i) a clarification of the points raised; and (ii) a response to questions and comments.			

In accordance with Rule 7.27.2 the Cabinet is asked to provide a written response to the scrutiny report, including an action plan where appropriate, as soon as possible or at the latest within 2 months of the date of the Cabinet meeting i.e. by XXX

Membership of the Economy, Residents and Communities Scrutiny Committee on 2022-23:

County Councillors:

A Davies, D Bebb, A Cartwright, T Colbert, B Davies, I Harrison, Adrian Jones, Arwel Jones, K Lewis, G Mitchell, J Brignell-Thorp, C Walsh, S Williams.