
REPORT OF THE CORPORATE DIRECTOR RESOURCES

INFORMATION GOVERNANCE

Reason for this Report

1. The purpose of this report is to provide a response to the queries that were raised by the Democratic Services Committee on 5 September 2022 in respect of the mandatory Information Governance and Data Protection session provided as part of the Member Induction Programme.

Background

Role of the Democratic Services Committee

2. The Local Government (Wales) Measure 2011, Part 1, Chapter 2, requires local authorities to appoint a Democratic Services Committee to oversee the Democratic Services functions of the Council, ensure that the work is adequately resourced and report to the full Council accordingly. The Democratic Services functions include Members' Services, Committee Services and Scrutiny Services, but not Cabinet Support Services.

Member Induction Programme 2022

3. The Member Induction Programme was developed prior to the Election, and was agreed by Democratic Services Committee. A number of mandatory topics were identified including the provision of a mandatory Information Governance and Data Protection.
4. This session was intended to provide all members with an understanding of:
 - What Information Governance is.
 - Information Governance responsibilities.
 - The Data Protection Act.
 - Information Security.
 - Freedom of Information Act.
 - Your Role as a Data Controller.
 - Records Management.
 - Guidance and support.
 - IT Security and Case Studies.
 - Where to get advice and further information.

5. Two ninety minute in-person sessions were provided on 17 and 19 May 2022 and were attended by 27 (34.18%) Elected Members.
6. At its meeting on 5 September 2022 the Democratic Services Committee expressed the following views:
 - a. The committee were disappointed with the turnout for the mandatory Information Governance and Data Protection (IGDP) session; and
 - b. A member commented that the session was delivered well but the complexity and implications of the information provided was difficult to comprehend in a single session. This was supported by the Committee and it was requested that:
 - an easy-to-read aide memoir containing the essential information be provided.
 - arrangements be made for repeating the IGDP training to ensure that all Members were able to complete this mandatory session.

Issues

7. The Head of Democratic Services liaised with Information Governance officers who requested further information be provided to confirm if there were any issues with the provision of the IGDP Sessions or the content of the Information Governance – Members Guide. Those Elected Members attending the sessions were consulted to determine if any changes were needed to the delivery of future IGDP sessions.
8. All Elected Members were circulated a copy of the Information Governance: Guide for Elected Members prior to the first of the IGDP sessions. It could be used as a reference document to support Members in complying with the requirements of data protection and access to information legislation by providing practical advice, information and guidance on the collection, use and storage of personal data. A copy of the Guide for Elected Members is attached at **Appendix A**.
9. Circulation of this guide to a member who had initially expressed his concerns about the training identified that “when re-reading the Members Guide I feel quite clear about the issues outlined”.
10. Attached at **Appendix B** is an ‘Information Governance – Quick reference guide for Elected Members’, which covers the key Information Governance legislation and principles Members need to be aware of and contains links to key documents that Members will need to familiarise themselves with.
11. The Council’s Information Governance Manager and Data Protection Officer has been in discussion with officers from the Cardiff Academy who support the provision of E-Learning modules. It is proposed that an online version of the in-person presentation “Information Governance for Elected Members 2022” which focuses on the Council’s requirements is uploaded to Cardiff Academy. This will be used as the mandatory training activity for all those who were not able to attend the in-person training. This will be further enhanced by the Cyber Ninja’s E-Learning modules which provide a general overview of the Information Governance legislation. This will enable all members to access this online training when it is convenient for them.

12. Training for access and use of the Cardiff Academy has been provided during the Supporting Equality in Cardiff's Diverse Communities induction sessions. All Elected Members have access to the Cardiff Academy and individual accounts have been created for them.
13. Any Elected Member completing any of the Cardiff Academy's E-Learning modules will be provided with an electronic completion certificate to evidence that they have completed the module. In addition, a monthly report is also automatically provided to the Head of Democratic Services detailing the progress and completion of all E-Learning modules undertaken by Elected Members. This process can be used to evidence completions which can subsequently be reported to the Democratic Services Committee.
14. Details of the Information Governance for Elected members 2022 /Cyber Ninja's E-Learning module and the Information Governance Reference documents can be circulated to all Elected Members with a request to complete the E-Learning module by the 31st of January 2023. Progress on achieving this request will be followed up with Group Whips and reported to the Committee on the 23rd of January 2023.

Financial Implications

15. All costs from Democratic Services activities and services support are to be monitored and contained within the respective funding sources and budgets.

Legal Implications

16. Section 7 of the Local Government (Wales) Measure 2011 requires local authorities to secure the provision of reasonable training and development opportunities for its members.
17. The Welsh Government's statutory guidance in relation to this duty - The Local Government Measure 2011 (Chapter 2) recommends that the Democratic Services Committee has overall responsibility for deciding what should be regarded as reasonable training and development opportunities as part of its function of providing support to members to carry out their functions.
18. Group Leaders have a statutory duty (introduced by the Local Government and Elections (Wales) Act 2021) to promote and maintain high standards of conduct by members of their group; and Standards Committees are responsible for monitoring compliance with this duty. It has been agreed, in discussions between the Standards and Ethics Committee and Group Leaders and Whips, that encouraging members of their groups to attend mandatory training sessions, may be regarded as part of this duty, and Group leaders and Group Whips have agreed to report on this issue at bi-annual meetings with the Standards and Ethics Committee.

RECOMMENDATION

19. The Democratic Services Committee is recommended to:

- a. Approve the circulation of the Information Governance: Guide for Elected Members and the Information Governance – Quick reference guide for Elected Members to all Elected Members.
- b. Approve that the Information Governance for Elected members 2022 E-Learning module becomes the vehicle for all Elected Members who were unable to attend the IGDP in-person session to complete this training.
- c. Approve that a request be sent to all Elected Members who have yet to complete their IGDP session to do so using the Information Governance for Elected members 2022 module by the 31st of January 2023.
- d. Receive and update from the Head of Democratic Services on the progress made in the completion of the IGDP Mandatory training at its next meeting.

CHRISTOPHER LEE
CORPORATE DIRECTOR RESOURCES
22 November 2022

Appendices:

Appendix A: Information Governance: Guide for Elected Members

Appendix B: Information Governance: A Quick reference guide for Elected Members

Background Papers:

[Democratic Services Committee](#) dated 5 September 2022

Standards and Ethics Committee report, '[Group Leaders' Duties in relation to Standards of Conduct](#)', 25th October 2022