

Tasks of the Information Governance Officer:

Task No.	Details of the task	What is involved	Delivery of the task	Timeframe
Task 1 - Short Term Objective	Strategically develop the Information Management System and access to information framework as part of the Councils information governance methodology.	<p>The IGO will be required to carry out a review of all council departments in order to establish what categories of information are being processed. The review will identify what types of data the Council holds (broken down by department) e.g. non personal data, identifiable data (known previously as personal data) special category data (sensitive personal data), where the information is located e.g. computer equipment, hard copies, archives, where the data is being sent e.g. internally, externally to private companies, other LAs, schools etc. whether there are any legal arrangements in place for using the data e.g. sharing agreements, disclosure agreements etc.</p> <p>once this information has been collated all of the data will be held within a single system that identifies what information the Council holds and how it is being processed.</p> <p>regular assessments will need to be carried out in order to ensure that the information is relevant.</p>	<p>Setting up the Project: A privacy Impact Assessment will need to be carried out (see the role of the DPO) A Privacy Notice will need to be written outlining the proposals (see the role of the DPO - the IGO will not be required to process the departments data but the departments may be required to in order to establish the type of data they hold) A database will need to be created that will enable the IGO to record what information is used by each department, where it is sent etc. Create a template for each department to complete that outlines the purpose of the review and clearly describes what the department is required to do.</p> <p>Implementing the Project: Identify who within each department is best able to assist with this review (relevant individual) Contact the relevant managers and explain the purposes of this review and that members of staff will be required to fully engage which may slightly effect departmental performance</p> <p>Delivery of the Project: contact the relevant individual and ask them to provide a basic overview of the types of data held by completing the template once the template has been received the categories of data can be recorded within a database. Arrange a meeting with the relevant individual During the meeting establish whether there are any agreements in place etc. give the relevant individual time to locate copies of the agreements and submit them to the IGO for review. IGO to establish whether the agreements are appropriate by assessing their content and ensuring the grounds for processing etc. is valid. If no agreements, legal justification etc. has been identified conduct research establishing whether the department is acting ultra vires (see task 21) Identify the risks involved in processing the information (High, Medium, Low) based on the supervisory authority data breach guidance. All areas reported as High or Medium must be forwarded to the DPO for consideration Create a report that will identify what steps need to be taken by the department in order to ensure compliance.</p> <p>Completion of the Project: The Information Governance Team will be able to identify the risks for data breaches, failings etc. of all departments enabling the Council to build a robust information governance framework that can be rolled out across the Council.</p>	<p>Approx. 3 weeks 1 Week 1 Day 1-2 Weeks (IT assistance may be required) 1 Day Approx. 2 Hours per department 1 hour 1 hour Approx. 1 week per department 1 hour 2-3 hours 5 Mins 1-2 hours N/A 2 Days 1 Day 1 Day 1 hour 1 Day Total time given for the review of 1 department 1 week (this does not include implementation)</p>
Task 2 - Long Term Objective	To work with and support Directorates across the Council to put in place formal access to information standards - based on the supervisory authority standards and legal frameworks.	<p>The IGO will be responsible for updating and maintaining the current policies and when required create new policies and procedures for staff. These will be based on the changes to the legislation and any new codes of practice, guidance, information tribunal decisions and common law. Once these policies have been implemented the IGO will ensure that departments understand them and are able to implement them within their own service areas. The IGO will continue to work with departments in order to ensure high standards are maintained.</p>	<p>Keep up to date with supervisory authority decisions by joining the weekly newsletter mailing list, if there are any topics of interest to the council, schools or external clients the IGO should forward these one, explaining how these decisions may affect their service areas.</p> <p>Annually review the Councils current policies and procedures relating to access to information ensuring that their content is appropriate and compliant.</p> <p>If a policy needs to be updated the IGO will be required to produce a report that must be placed before Full Council. This report will detail the proposed changes and why the Council must make these changes. The updated policy must receive Full Councils approval before the changes can be implemented.</p> <p>Where a new policy is needed the same procedure will apply.</p> <p>The IGO will be required to draft the new policy and inform the DPO as to why such a policy is required, providing specific details so that the DPO may present the updates to the Head of Legal and Democratic Services.</p> <p>Where possible the DPO or the Head of Legal and Democratic Services will present the reports to Council on behalf of the IGO. The IGO will not be expected to attend and address the Councillors.</p> <p>Once the policies and procedures have been approved the IGO will implement the changes within the Council.</p> <p>The IGO will email all staff (via corporate communications or other relevant employee) to ensure that the updates have been disseminated to all staff respectively.</p> <p>If the IGO becomes aware of any department failing to abide by the Councils policies they must report these issues to the DPO for further investigation.</p>	<p>Weekly - 1 hour Annually - 2 days Annually - 1 week 1 week - as and when required 2 weeks N/A Daily - The tasks of the IGO will ensure compliance. Annually - 1 day Weekly - 4 hours - internal departments regularly fail to comply within deadlines, refuse to respond, try and apply exemptions that are not relevant etc.</p>

<u>Task No.</u>	<u>Details of the task</u>	<u>What is involved</u>	<u>Delivery of the task</u>	<u>Timeframe</u>
Task 3	Ensure compliance with the Freedom of Information Act and the Environmental Information Regulations and related provisions, ensuring that the statutory responsibility placed upon the Council is fully discharged.	The IGO will be required to ensure compliance with the legislation. They will be responsible for ensuring that the Council responds within the specified timescales governed by the legislation, personal information is not disclosed unlawfully in response (this will include statistics) ensure that exemptions are applied correctly and demonstrate that they have been engaged. Where appropriate ensure that the Council has satisfied the tests established within tribunal decisions and common law before for applying certain exemptions, to ensure that there's a robust argument put forward for applying the public interest test in order to apply the qualified exemptions. Ensure that the Councils responses are lawful and comply with industry standards.	Acknowledging all requests received either via email or letter. Ensuring requests are entered in to the Requests for Information Management System Send requests to the relevant department for a response ensuring that a deadline has been indicated within the email. Chase any outstanding requests Respond to any issues the applicant may have with regards to their request On receipt of the departments response consider whether any exemptions/exceptions are applicable. where appropriate implement task 10. If required seek further information from the department or forward to another department for consideration. When appropriate contact the applicants to keep them up to date with the progress of their requests. If required seek clarification from the applicants in order to ensure the Council provides an accurate response. Once a reply has been formulated ensure that the applicant has been given details of how to complain if they wish, the supervisory authorities contact details and confirmation that all requests are included within the Councils disclosure log. Update the Requests for Information Management System	Daily Daily Daily Weekly Daily Weekly Weekly As and when required Daily Daily
Task 4	Provide advice and assistance to members of the public with accessing official documentation held by the Council and develop and implement a communications plan to make the public aware of their rights under the Act and Regulations.	Members of the public regularly contact the Council seeking advice on how they can either access their personal records or receive official documentation that they believe to be held by the Council. The IGO will be required to provide these individuals with advice and assistance in order to help them gain access to the information they require. The IGO will need to raise public awareness of these rights and communicate them to the public in an effective and appropriate manner.	Answer telephone queries Provide advice on the Councils policies and procedures Direct individuals to the appropriate Council webpages in order to submit a request Create various publications which outline individuals rights. Direct individuals to the supervisory authorities website. Meet with individuals in order to resolve any queries - including arranging a meeting, conducting the meeting and providing a written response to the issues discussed. provide written responses to any queries received.	Daily Daily Weekly Monthly Weekly Weekly Daily
Task 5	Develop, implement and enforce suitable and relevant procedures for responding to requests, providing advice and assistance to all internal departments, Chief Officers and Members.	As part of the Councils transparency agenda the IGO will be responsible for ensuring that appropriate policies and procedures are adopted for all staff and members to follow which will detail our legislative requirements as imposed by the legislation. These policies and procedures need to be updated regularly so that the Council maintains compliant with our legal requirements. The supervisory authority will often publish new codes of practice which become part of the regulatory regime, these will often have a major impact on service delivery, it will be the responsibility of the IGO to ensure that the codes of conduct are implemented within each service area and thus updating and creating new procedures/guidance for staff where applicable. In the event that the IGO becomes aware of any breaches in these policies and procedures they will need to first inform the member of staff that they may be in breach of the legislation, if the IGO can demonstrate that the legislation has been breached they will need to address the DPO outlining these concerns for further investigation/sanction.		Annually Annually Monthly
Task 6	Provide advice and assistance relating to access, disclosure and refusal of documentation and act as a consultant on other projects, advising on matters relating to freedom of information and environmental information.	Members of staff will often request advice in relation to the legislative frameworks regarding formal requests that they have received from the IGO, such as are they able to refuse it, they cannot locate any data, they need extra time to comply etc. In these instances the IGO officer will be required to provide advice based on the legislation, information tribunal decisions, the supervisory authority guidance and statutory codes of conduct. the IGO must ensure that the advice provided is thoroughly researched and appropriately addresses the concerns of the department. There are also instances where the IGO will be required to assist various Council departments in establishing new projects and initiatives such as the creation of new registers, collection of		Daily Weekly
Task 7	Assist in the creation and the maintenance of the Publication Scheme identifying information that should be included in the Publication Scheme and making this information available to members of the public.	Section 19 and 20 of the Freedom of Information Act require the Council to implement and maintain a publication scheme. The publication scheme will hold a vast amount of information relating to a wide range of services including financial information, internal policies and procedures, registers, datasets, details on how we make decisions etc. The IGO will be responsible for maintaining the Publication Scheme by ensuring that Council departments are actively publishing their public facing material onto the website which will link into the scheme.		The Publication Scheme must be updated regularly. Annual reviews should be carried out.
Task 8	Maintain a log of all requests received which will detail the outcome i.e. whether the information was supplied or if the request was exempt, partly exempt, withdrawn and on what basis the decision was reached. Ensure the Councils disclosure log is maintained and regularly updated.	As part of the Councils accountability to the Supervisory Authority we must ensure that we are maintaining adequate records relating to the requests we receive. This information is recorded within the Councils Requests for Information Management System. This system will enable to IGO to record specific details relating to each request received.	Ensure that this system is kept up to date and the information contained within it is up to date.	Daily
Task 9	Ensure that all responses to requests for information are thoroughly researched, collating information from a wide range of sources within the Councils departments and systems also ensuring all requests are responded to within the statutory timeframes.	All requests received by the Council should be passed to the IGO for processing. The IGO will then make the decision as to which department would hold the information required for response. As part of this process the IGO must ensure that all information retrieved from the department is appropriate for response and that no further departments would hold any additional information that may be relevant. There are statutory deadlines provided under the legislative frameworks that must be adhered to. for FOI and EIR requests the Council has 20 working days to respond, failure to respond within these timeframes would mean the Council would face remedial action from the Supervisory Authority.		Daily

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Task 10	To prepare and submit exemption forms for consideration by a Solicitor, detailing the rationale behind the decision making process. To draft detailed public interest test arguments demonstrating the reasons for and against disclosure of information ensuring they relate to the relevant exemptions included within the relevant legislation and ensure the Council remains compliant with the legislation and supervisory authority's guidance.	Once a response from the department has been received by the IGO it is their job to establish whether any of the exemptions pursuant to part II of the FOIA and any of the exceptions provided under Part III of the EIR apply to the request. under the FOI there are several exemptions that are classed as absolute exemptions, these exemptions can be applied without taking into consideration any other factors that may prevent refusal. All EIR exceptions and a number of exemptions provided under the FOIA are qualified exemptions, these exemptions require the IGO to consider a public interest test prior to their application. In order to demonstrate our compliance with these exemptions detailed logs must be created which demonstrate the IGO decision making process and demonstrate whether the refusal satisfies the provisions within the exemption/exceptions. The Supervisory Authority will also produce guidance that sets out further tests that must be satisfied in order to apply the exemption. For example, the Section 38 exemption provided under FOIA can only be applied in circumstances where the IGO can demonstrate that an individual will actually be at risk, whether it is physically or mentally. This may require consultation with an expert in the field, such as a psychologist or a police officer. There are a number of exemptions that have similar requirements. The IGO will be responsible for ensuring we satisfy		Daily
Task 11	On receipt of an internal review or appeal, prepare and submit to the Data Protection Officer detailed decision logs explaining the harm the release of the information would pose, the exemptions that flow from the harm, arguments used for the public interest test and the rationale behind the use of such exemptions, taking cognisance of departmental guidance, statutory provisions the statutory guidance available and all relevant decision notices and tribunal decisions.	When a refusal notice has been issued by the IGO they must also provide details of how an applicant can appeal the initial decision to refuse disclosure. If an applicant decides to appeal the refusal notice the IGO must ensure that they have provided relevant information detailing how they believe that the exemption has been incorrectly applied. Once the IGO has established this they will be responsible for providing the notice of appeal and the decision logs to the DPO for consideration.		Daily
Task 12	Assist with internal reviews and appeals against refusal of request decisions and undertake reporting/remedial action as required. Maintain a log of any incidents and remedial recommendations and actions.	The IGO will be required to explain their justification for applying the exemption to the DPO. The DPO will then consider the original decision. If the exemption has been incorrectly applied the IGO must then follow the instructions of the DPO in order to rectify the issue. Once this has been finalised the IGO must ensure the Request for Information Management System is updated and the details of the appeal have been registered.		Monthly - several days a month
Task 13	To liaise and consult with the relevant Council departments in relation to high profile or sensitive cases, ensuring that an appropriate strategy is formulated prior to any release of such information. Ensure that the Data Protection Officer is consulted prior to the disclosure of any high profile or sensitive requests and that any issues are highlighted and discussed.	There will be instances where the IGO will receive a request that requires the disclosure of high profile information which may not satisfy the criteria for any exemptions and therefore must be disclosed. In these instances the IGO will be required to ensure that all possible problems that may arise once the disclosure has been made are identified and appropriate action is taken in order to ensure the repercussions of disclosure have been minimised. The IGO must consult the DPO prior to any such decisions being made and should only disclose the information with the approval of the DPO.		Weekly
Task 14	To initiate effective consultation with external organisations and authorities in relation to requests/reviews and ensure that all meetings and correspondence are appropriately recorded as part of this process.	The IGO will be required to consult with third parties in circumstances where the information required belongs to or relates to a separate organisation to the Council. The IGO will be required to negotiate disclosure provisions with all third parties in these circumstances. In terms of data protection the IGO will be required to consult with third parties prior to their personal information being released to another individual in instances where redaction is inappropriate or cannot be achieved.		Weekly
Task 15	Develop and implement freedom of information awareness and a training programme to be included in induction. Ensure that training is made available to all staff.	The Council currently has a Bobs Business module that is designed to give staff an overview of the Acts, this is basic training that is made available to all computer users within the Council. The IGO will be required to update these modules when required in order to ensure it remains up to date with the legislation.		Annually
Task 16	Provide oversight and co-ordination of data subject access requests and other information requests pursuant to individual rights under data protection and privacy legislation within prescribed statutory timeframes. Ensure compliance with the Access to Health Records Act 1990.	The IGO will be required to manage and administer all requests for personal information made under the data protection legal frameworks. This will involve ensuring appropriate identity checks are carried out and where possible appropriate fees are made prior to any disclosures being made. Where a fee is applicable the IGO will also be required to ensure the money is banked without delay into the appropriate Council budget. In addition to personal information requests the IGO will also be responsible for managing and administering all requests received seeking the disclosure of deceased individuals records. These records are governed by the Access to Health Records Act, appropriate checks must be undertaken prior to any disclosures being made, this includes ensure a grant of probate and where possible a power of attorney has been authorised to the requestor. There are various provisions which must be adhered to when responding to such requests.	Log all requests within the Information Requests Database. Acknowledge all requests received Establish what type of request has been received (subject Access, Police disclosure, confirmation of residence etc.) Send details of the request to the relevant department providing them with a deadline for the response. Once a response has been received assess the information in order to establish that it can be disclosed. Apply the relevant exemptions where appropriate. Provide a response to the applicant. Update the database.	Daily Daily Daily Daily Daily - a response to one request can take on average 1-5 days to complete. (The IGO must ensure that application of exemptions is factored into the departmental timeframes for a response) Weekly Daily

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Task 17	Report all compliance issues relating information governance, including any complaints and breaches of the legislative framework to the Data Protection Officer. Where appropriate assist the Data Protection Officer in the administration of investigations relating to breaches of information governance.	If the IGO becomes aware of any breaches of the legislative frameworks they must ensure that the DPO is notified without delay, this includes any missed deadlines, incorrect disclosures or any other breaches that may occur. Once a breach has been detected and the DPO has been notified the IGO will be required to implement any recommendations issued by the DPO. This may include a change in process or in the event of a data protection breach notification to the supervisory authority.	Provide details of the breaches to the DPO this will include the nature of the breach, the department responsible, the departments reasons for the breach and any other information that is relevant to the case. The IGO will be responsible for implementing any recommendations issued by the DPO.	Weekly
Task 18	Administer legal agreements relating to the processing of personal information for use with external organisations and between departments on behalf of the Data Protection Officer.	The IGO will be required to log all new instructions received relating to the drafting of data protection agreements into an agreement register. Once the DPO has drafted the agreement and it has been agreed by the external company/internal department, the IGO will be required to ensure that the agreements have been appropriately executed and the relevant insurance policies (where relevant) have been received. They will also send copies of the signed agreements to be indexed and to the external company/internal department.		Weekly
Task 19	Assist the Data Protection Officer in any legal claims issued against the Council for damage relating to breaches of Data Protection.	The IGO will be required to provide administrative support to the DPO in these circumstances. This may include taking minutes of meetings, writing letters to interested parties and typing witness statements where required.		This could take a considerable amount of time should such a claim be received by the Council.
Task 20	To provide advice and assistance regarding the redaction of personal information from official documentation.	The IGO will be responsible for demonstrating and training other members of staff on the correct methods of redaction, the circumstances in which information should be redacted and the legal justifications for removing the personal information.	Setting up a meeting with the relevant members of staff and providing them with detailed descriptions of what personal information should be removed from documents when disclosing this information to a third party. Supply members of staff with guidance notes relating to the redaction of personal information	Weekly Annually
Task 21	Conduct legal research into various complex information governance matters on behalf of the Data Protection Officer and where appropriate the Legal Department.	There may be instances where the DPO will require the IGO to undertake research into a particular processing activity, in these circumstances the IGO will be required to undertake legal research on behalf of the DPO, and where appropriate other members of the Councils Legal Department. The IGO must consult a wide range of resources which will be made available to them. once the appropriate research has been obtained the IGO must prepare a briefing note and supply it to the DPO for reference purposes.		Weekly Weekly
Task 22	Log and administer complaints received under the Human Rights Act.	On receipt of a human rights complaints log them into a system and acknowledge receipt of the complaint, the IGO will then forward the complaint to the DPO for consideration.	Setup a database for log all complaints received relating to the HRA. Log all complaints within this database Acknowledge the complaint forward details of the complaint to the DPO for consideration. This will include meeting with the DPO in order to discuss the details of the complaint.	1 day 1 hour Weekly
Task 23	Compile benchmarking data using a statistical analysis of all requests received on a quarterly basis and identify trends in requests. Submit this statistical analysis to the Data Protection Officer for it to be placed before the Deputy Chief Executive for consideration during Senior Management Meetings.	Run reports from the Request for Information Management System in order to produce the statistics required for reporting. Using these reports complete the QBR spreadsheets which will be submitted to the DPO for further consideration.		Weekly
Task 24	Liaise with the Data Protection Officer in order to develop and implement a comprehensive Data Protection Plan and provide assistance in this area.	Keeping a log of all outstanding initiatives listed within the plan and update the plan at the request of the DPO. With regards to departmental engagement with the Data Protection Plan the IGO will ensure that the responses are maintained and where applicable written into the plan in order to ensure its effective delivery.		As and when requested by the DPO
Task 25	Raise awareness of records management including the development, maintaining and implementation of the records management strategy for the Council.	Ensure that the Councils current Records Management policies and procedures are relevant and up to date. Where appropriate implement any changes to records retention as imposed by legislation and guidance issued by the relevant supervisory authorities. The IGO will be responsible for ensuring that department are aware of any changes to retention schedules as and when required. the IGO will also advise internal department of their retention and destruction responsibilities and where appropriate liaise with the National Archives or other relevant archiving authority with regards to the Councils Records Management strategy.		Initially this will take a considerable amount of time to set up. it will then need to be reviewed annually. The IGO will be required to provide advice as and when required.
Task 26	Consider all requests for the reuse of official documentation in accordance with the Reuse of Public Sector Information Regulations and draft all licences as required for approval by the Data Protection Officer.	In instances where a requestor seeks permission to reuse Council data that they have obtain as a result of a formal response to a request for information the IGO will be required to identify whether a Re-Use licence is required. In doing so the IGO will identify whether a free Re-Use licence or a chargeable reuse licence is appropriate. Once the correct reuse licence has been drafted it must be sent to the DPO for approval before being signed by an Authorised Employee.	Log all requests for re-use in a database Acknowledge the request for re-use Consider what type of re-use licence is required Draft the correct licence and send it to the DPO for approval. Once approval has been received from the DPO arrange for the licence to be executed by the appropriate legal professional. If necessary seek the required fee from the applicant prior to the re-use licence being submitted. For chargeable reuse licences provide the applicant with a copy of the licence once the fee has been received. With regards to the free re-use licences contact the applicant providing them with a copy of the re-use licence.	1 hour 1 hour 1 day Maximum of 20 working days 1 day 1 day 1 hour 1 hour