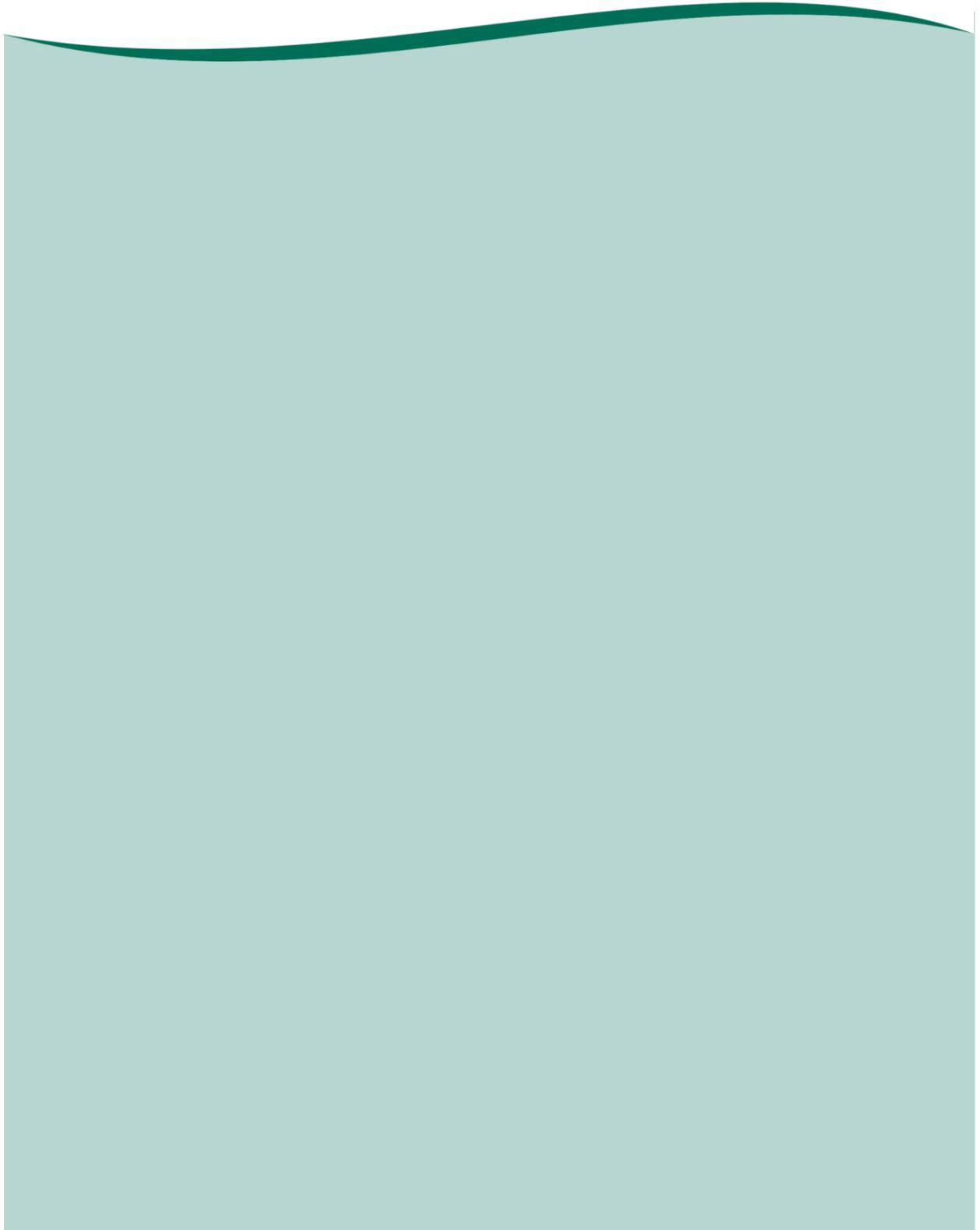


Information Governance Policy



Document control

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Associated Documentation:

Wiltshire Council controlled documents:

Information Governance Management Framework

Information Security Policy

Data Protection Policy

Legal framework:

Data Protection Act 1998 (and subsequent Special Information Notices)

Human Rights Act 1998

Criminal Justice and Immigration Act 2008

Computer Misuse Act 1990

Copyright, Designs and Patents Act 1988 (as amended) by the Copyright (Computer Programmes) Regulations 1992

Crime & Disorder Act 1998

Electronic Communications Act 2000

Environmental Information Regulations 2004

Freedom of Information Act 2000

Health and Social Care Act 2012

Regulation of Investigatory Powers Act 2000 (and Lawful Business Practice Regulations 2000)

Public Interest Disclosure Act 1998

Prevention of Terrorism (Temporary Provisions) Act 1989 & Terrorism Act 2000

Regulations under Health & Safety at Work Act 1974

Transparency Code 2015

Codes of Conduct and Practice:

Wiltshire Council controlled documents:

Confidentiality ~ Staff Code of Conduct

Staff Terms and Conditions of Employment

External documentation

British Standards ISO 27001:2013, ISO 27002:2013

Section 46, Freedom of Information Act 2000, Code of Practice for the Management of Records. (Department of Constitutional Affairs)

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1. Introduction

Information is a vital asset and resource, both in terms of the efficient management of individual service users and the business as a whole. It plays a key part in corporate governance, service planning and performance management.

It is of paramount importance that information is efficiently managed and that appropriate accountability, standards, policies and procedures provide a robust governance framework for effective information management.

2. Purpose

To describe a system that ensures that Wiltshire Council (the council) meets its responsibilities for the management of information assets and resources.

3. Aim of the Policy

The council will at the highest level, and in particular, its Corporate Leadership Team, establish and support an Information Governance (IG) Management Framework.

4. Scope

All information used by the council;

- All information systems managed by the council;
- Any individual using information owned by the council;
- Any individual requiring access to information owned by the council;
- Any organisation acting as a data processor on behalf of the council.

5. Council's IG aims

To hold information securely and confidentially;

- To obtain information fairly and efficiently;
- To record and maintain information accurately and reliably;
- To use information effectively and ethically;
- To share information appropriately and lawfully.

6. Legal & Regulatory Framework

There are legal obligations placed upon the Council for the use and security of personally identifiable information. There are requirements to disclose information appropriately when required.

To manage its obligations the council will issue and support standards, policies and procedures ensuring information is held, obtained, recorded, used and shared correctly.

7. Responsibilities of the council

All information used in the council is subject to handling by individuals and it is necessary for these individuals to be clear about their responsibilities and for the council to ensure and support appropriate education and training.

The council must ensure legal requirements are met.

To manage its obligations the council will issue and support standards, policies and procedures ensuring information is held, obtained, recorded, used and shared correctly.

8. Responsibilities of Users

Users of information must:

- be aware of their responsibilities;
- comply with policies and procedures issued by the council;
- work within the principles outlined in the information governance framework.

9. Information Governance Framework

The council recognises the need for an appropriate balance between openness and confidentiality in the management and use of information. The council fully supports the principles of corporate governance and recognises its public accountability, but equally places importance on the confidentiality of, and the security arrangements to safeguard, both personal information about service users and staff and commercially sensitive information necessary for the operation of the council.

The council also recognises the need to share client information with other organisations and other agencies in a controlled manner consistent with the interests of the client and, in some circumstances, the public interest.

The council believes that accurate, timely and relevant information is essential to deliver the highest quality services. As such it is the responsibility of all staff using council owned information to ensure and promote the quality of information and to actively use information in decision making processes.

10. Key Elements of the Information Governance Framework

10.1 Freedom of Information

Non-confidential information about the council and its services will be available to the public through a variety of media and the council will establish and maintain policies to ensure compliance with the Freedom of Information Act, Environmental information regulations and Transparency Code;

The council will undertake or commission annual assessments and audits of its freedom of information policies and arrangements;

Individuals will have ready access to information relating to their own care and their rights as service users;

The council will have clear procedures and arrangements for handling queries from service users and the public;

The council will have clear procedures and arrangements for liaison with the press and broadcasting media.

10.2 Legal Compliance

The council regards all identifiable personal information relating to clients as confidential;

The council will undertake or commission annual assessments and audits of its compliance with legal requirements;

The council regards all identifiable personal information relating to staff as confidential except where national policy on accountability and openness requires otherwise;

The council will establish and maintain policies to ensure compliance with the Data Protection Act, Human Rights Act, and the common law of confidentiality;

The council will establish and maintain policies for the controlled and appropriate sharing of client information with other agencies, taking account of relevant legislation (e.g. Health and Social Care Act, Crime and Disorder Act, Protection of Children Act)

10.3 Information Security

The council will:

- establish and maintain standards and policies for the effective and secure management of its information assets and resources.
- undertake or commission annual assessments and audits of its information and IT security arrangements.
- undertake risk assessments to ensure appropriate security controls are in place for existing or potential information systems.

- promote effective confidentiality and security practice to its staff through policies, procedures and training.
- establish and maintain incident reporting procedures and will monitor and investigate all reported instances of actual or potential breaches of confidentiality and security.
- use ISO/IEC 27001 & 27002 as the basis of its Information Security management arrangements.
- The council will ensure strong security and encryption for all Personal Identifiable Data (PID) while it is in transit and where it is stored on mobile devices

10.4 Information Quality Assurance

The council will:

- establish and maintain policies and procedures for information quality assurance;
- undertake or commission annual assessments and audits of its information quality;
- promote information quality through policies, procedures, user manuals and training.

Managers are expected to take ownership of, and seek to improve, the quality of information within their services

Wherever possible, information quality should be assured at the point of collection.

Data standards will be set through clear and consistent definition of data items, in accordance with national standards.

10.5 Records Management

The council will:

- establish and maintain policies and procedures for effective management of records;
- undertake or commission annual assessments and audits of its records management;
- promote records management through policies, procedures and training;
- use the Code of Practice in Section 46 in the Freedom of Information Act 2000 as its standard for records management.

Managers must ensure effective records management within their service areas.

11. Management of Information Governance

The Corporate Leadership Team will be responsible for ensuring the implementation of the Information Governance Policy and Management Framework.

The Information Governance Assurance Steering Group will monitor the effectiveness of the IG Framework and report as required, and at least annually to the Corporate Leadership Team.

The Information Governance team will implement the Information Governance Framework together with all Council Directorates.

12. Appendix 1

Legal and Regulatory Framework

The Council is bound by various legislation affecting the stewardship and control of information. The main relevant legislation is:

- Data Protection Act 1998 (and subsequent Special Information Notices)
- Human Rights Act 1998
- Criminal Justice and Immigration Act 2008
- Computer Misuse Act 1990
- Copyright, Designs and Patents Act 1988 (as amended) by the Copyright (Computer Programmes) Regulations 1992
- Crime & Disorder Act 1998
- Electronic Communications Act 2000
- Environmental Information Regulations 2004
- Freedom of Information Act 2000
- Health and Social Care Act 2012
- Regulation of Investigatory Powers Act 2000 (and Lawful Business Practice Regulations 2000)
- Public Interest Disclosure Act 1998
- Prevention of Terrorism (Temporary Provisions) Act 1989 & Terrorism Act 2000
- Regulations under Health & Safety at Work Act 1974
- Transparency Code 2015

Regulatory framework

The regulatory framework includes:

- The NHS Health and Social Care IG Toolkit which requires local authorities to assess their progress against set criteria and standards.
- 'Information: to Share or not to Share. An Information Governance Review' March 2013. National Data Guardian Review of Data Security, Consent and Opt-outs. NHS National Data Guardian 2016.
- ISO/IEC 27002:2013 ISO/IEC 27002:2013 - British Standard for Information Security Management
- Information Quality Assurance