

<b>MEMBERS USE OF ICT   7TH ANNUAL REPORT</b>	
<b>STANDARDS COMMITTEE</b> <b>12 FEBRUARY 2018</b>	<b>CLASSIFICATION:</b> <b>Open</b>
<b>WARD(S) AFFECTED</b> <b>All Wards</b>	
<b>CORPORATE DIRECTOR</b> <b>Ian Williams, Group Director of Finance and Resources</b>	

## **1. SUMMARY**

1.1. This annual report provides the Standards Committee with an update on Members' use of the ICT services provided by the Council.

1.2. This report covers the following topics:

- Members' use of ICT during the 2017 calendar year
- Data Protection guidance for Members and changes to reflect forthcoming changes to the law and regulation for Data Protection
- Planning for Members' ICT provision following the municipal elections in May 2018

## **2. RECOMMENDATIONS**

2.1. Standards Committee is invited to:

- Note the update on Members' use of ICT (see section 6)
- Note that auto-forwarding of email will be withdrawn and all Members provided with easy and secure access to their @hackney.gov.uk email accounts (see section 6.8)
- Provide feedback on the proposed direction for Data Protection guidance and Members' ICT provision (see sections 7 and 8)

## **3. RELATED DECISIONS**

3.1. Revised Draft Guidance for Members on the Use of ICT: March 2011.

3.2. Report of the Internal Auditor on Ethical Standards: January 2010.

## **4. FINANCIAL CONSIDERATIONS**

4.1. There are no direct financial implications arising from this report.

## **5. COMMENTS OF THE DIRECTOR OF LEGAL**

5.1. This guidance is based on the Members' Code of Conduct which provides that Council resources must be used for carrying out Council functions and restrictions are imposed on any significant personal use of such resources. The guidance specifically addresses how Members should use Council provided ICT resources. The Council's policy on using Council systems and data has been refreshed in 2017 and now clearly applies to Members and their use of Council ICT resources.

## 6. MEMBERS' USE OF ICT DURING THE 2017 CALENDAR YEAR

- 6.1. Hackney Council's Member Code of Conduct provides that a Member must act in accordance with the Council's requirements and ensure that Council resources are not used for any unauthorised or political purpose (unless that use reasonably facilitates discharging the Council's functions). This includes Information & Communications Technology (ICT) resources.
- 6.2. The Group Director of Finance and Resources first issued the Guidance to all Members on 1st June 2011. Copies the Guidance were additionally issued to newly elected Members in May 2014.
- 6.3. Updates to the Council's policies for *Using Systems and Data* and *Information Classification and Marking* were included as part of the 2017 Annual Report to Standards Committee for comment and feedback. The new policies were designed to ensure that the Council's guidance is up to date with current systems and the latest guidance from UK Government, and were also reviewed to consolidate the number of policy documents and ensure that these are easy to understand for a non-technical audience. These were subsequently approved by the Council's Information Governance Group and are now the 'live' policies relating to use of the Council's information and ICT systems and apply to all users, including Members.
- 6.4. During the 2017 calendar year communications were provided to Members to support them in compliance with the requirements for use of the Council's ICT systems. These covered the following topics:
  - Notification about the new *Using Systems and Data* policy, invitation to attend Data Protection guidance sessions for Members and contact details for queries
  - Information about registration of Members as Data Controllers with the Information Commissioner's Office
  - Invitation to attend ICT support and advice sessions for Members
  - Advisory note re: password sharing (following news articles in December 2017 relating to MPs sharing passwords with their office staff)
- 6.5. Monitoring of compliance with the guidance for Members' use of ICT is carried out by Corporate ICT staff. All potential incidents are reported to the ICT Services team, recorded on the ICT service management system and passed to the ICT Security Analyst for investigation and follow up.
- 6.6. There have been two incidents relating to Members' use of the Council's ICT systems recorded during the 2017 calendar year:

Category	Number of incidents	Description	Action taken
Telephony	0	n/a	
Web / internet	0	n/a	
Email	0	n/a	
Information security	2	Lost / stolen iPads	It was not possible to recover these devices so a 'remote wipe' instruction was sent to erase data on the devices.
<b>Total Incidents / Breaches</b>	<b>2</b>		

6.7. The table below shows the historical pattern of incidents relating to Members use of ICT:

Year	Incident category				Description	Data breach	Total
	Telephony	Web / internet	Email	Info security			
2017	0	0	0	2	Lost / stolen iPads	N	2
2016	0	1	0	0	Inappropriate content	N	1
2015	0	0	0	0	N/A	N/A	0
2014	0	0	0	1	Lost / stolen laptop	N	1
2013	0	0	0	0	N/A	N/A	0
2012	0	0	0	1	Lost / stolen laptop	N	1
<b>Total</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>4</b>			<b>5</b>

#### Future changes for the secure delivery of email

6.8. It has been identified that 10 Members currently have their @hackney.gov.uk emails automatically forwarded to an alternative address. This is of concern as the sender of the original email will not be aware that information they include is redirected to an alternative email service that the Council has not assured for security and privacy. As part of moving Members to the Council's new email service (see details in section 8 below) automatic

forwarding of email will be withdrawn and all Members will be provided with the ability to access their @hackney.gov.uk email account easily and securely from any device (including personal devices).

## 7. DATA PROTECTION GUIDANCE FOR MEMBERS

7.1. The Data Protection Act places particular requirements on elected Members, who handle information in three distinct roles:

- As Members of the Council, where the Council is responsible for the safeguards that are put in place, including the responsibility for any fines relating to breaches of the Data Protection Act.
- As members of political parties, where Members handle information such as canvassing information on behalf of their party.
- As Ward Councillors, where Members are **personally responsible** for the safeguarding of information that constituents share with them. This includes **personal liability** for any fines for breaches of the Data Protection Act when Members are acting in this role.

7.2. To help Members fulfil their obligations as elected Members, the Council has arranged to register each Member as a 'Data Controller' with the Information Commissioner's Office. This is a mandatory requirement for all Members and will be renewed by the Council following the election in May 2018 and annually thereafter to ensure that Members' registrations remain up to date.

7.3. Guidance sessions were offered in autumn 2017 to support Members in understanding their Data Protection responsibilities. Feedback from these sessions was positive and provided officers with additional understanding of Members' work (eg management of ward casework) which will be used to help identify ways to further improve the guidance provided.

7.4. It remains a concern, however, that attendance at the Data Protection guidance sessions was low (four Members attended across the two sessions). Officers will work with Member Services to ensure that Data Protection training is included as part of the induction programme for new and returning Members following the municipal elections in May 2018.

### The General Data Protection Regulation (GDPR)

7.5. The law and regulation for Data Protection is changing with the introduction of the General Data Protection Regulation (GDPR) which will come into force on 25 May 2018. This will apply to all individuals and organisations, including Members.

7.6. The GDPR is an extension of the requirements of the current Data Protection Act (DPA), which will introduce a number of changes to protections for personal data and privacy and increased penalties for failure to comply. Key changes include:

- The need to demonstrate compliance through holding a Record of Processing Activity (ROPA) detailing data that is processed, the lawful basis for this, who it is shared with, how long it is retained for and the technical controls in place to safeguard it.
- The requirement to appoint a named Data Protection Officer, who must be consulted in decisions around the processing of data.
- New rights for individuals which include: the right to have personal data erased ('the right to be forgotten'); rights to data portability; the right to object to processing; the right to be informed about how data is processed; and the right to object to automated decision making.
- The requirement to self-report all data breaches over a specified threshold to the ICO (currently this is voluntary).
- Higher penalties (currently the ICO can fine a maximum of £500,000, under the GDPR this rises to the higher of €20,000,000 or 4% of global turnover) and the ICO also has the power to issue a ban on further processing of the data.

7.7. While many of the requirements of the GDPR build on existing DPA obligations, the need to demonstrate compliance makes it necessary to review our approach to the existing principles of data protection - for example only keeping data for as long as it is needed to provide services, and disposing of it when it is no longer needed, and having a clear legal basis for processing. There is also a change to the responsibilities of people who process data on our behalf which means that we need to amend existing contracts with such arrangements.

7.8. As part of the development of Data Protection training for new and returning Members following the election in May 2018 (see 7.4 above) officers will be working to ensure that training reflects the requirements of GDPR. This will be based on the following work that is currently taking place:

- As part of the Council's preparations to ensure compliance with the GDPR, officers are developing revised training and guidance. Given the importance and relative complexity of this area, external support has been engaged to help develop training packages designed to simplify the information and ensure that it is accessible to a non-technical audience.
- There are also opportunities to collaborate with work that the Local Government Association is leading to produce Data Protection advice for Councillors.

7.9. To fully comply with their responsibilities under GDPR it is expected that Members are likely to need access to ongoing advice and support for Data Protection. This will be made available through the wider ICT support provided to Members described in section 8 below

and if there is significant demand then offering further group 'surgery' sessions will be reconsidered.

## **8. MEMBERS' ICT PROVISION**

### **Current provision**

- 8.1. Following a pilot of upgraded ICT equipment in early 2016, Members have been provided with new devices based on a choice between either a laptop PC or iPad (Members who prefer to use their own equipment continue to be able to do so). Members' response to these upgrades has been positive.
- 8.2. The Council's wifi access has also been upgraded during the 2017 calendar year, so all areas of the core campus (Hackney Town Hall, Hackney Service Centre, Annex and Christopher Addison House) are now covered by fast, consistent wifi that is easy for all users (including Members) and visitors to access. The legacy 'Members wifi' service will be removed shortly.
- 8.3. Members have also been offered support and advice sessions, where ICT staff have been available to assist with any questions or issues they need help with. Attendance at these sessions was low (a total of 2 Members attended the 2 evening sessions offered in July and October 2017) so officers have considered alternative ways to provide Members with easy access to ICT support and advice.

### **Developing the ICT offer for new and returning Members following the May 2018 elections**

- 8.4. The ICT Services team are working with the Member Reference group led by the Deputy Mayor to develop the ICT offer for new and returning Members following the elections in May 2018. The current direction of travel is to base this on the following elements:

#### **Equipment**

- It is proposed that returning Members will continue to use their current devices (laptop PC or iPad).
- New Members will be offered equipment based on the choice of either a laptop PC or an iPad, as provided to existing Members.
- Council ICT equipment will be recovered from Members whose term of office ends at the election.

#### **Services**

- Members will continue to be provided with access to email, calendar and Committee papers.

- The introduction of the Google G Suite for Business collaboration tools (which includes document sharing using Google Drive) will enhance this offer, providing a rich set of modern collaboration tools which are easy to use and accessible from any device, including mobile devices.

## Support

- Introduction and guidance on the Council's ICT systems and policies will be included as part of the induction process following the election in May 2018.
- Members will continue to have access to the online ICT support portal (<https://support.hackney.gov.uk> - accessible from any device, including mobile devices) and telephone support service.
- Members will also be able to book 1:1 advice sessions at a time that is convenient for them (this service has been introduced in 2017 and is open to all users, including Members).

8.5. The Standards Committee are invited to provide feedback on the above outline which can be taken into consideration as part of the Member Reference group's review.

## Rob Miller, Director of ICT

Report Originating Officer: Rob Miller                      ☎ 020 8356 2600  
Financial considerations: Yasin Razaaq                      ☎ 020 8356 7298  
Legal comments: Suki Binjal

## S.100D Local Government Act 1972 (as amended)

### List of Appendices

- N/A

### Background documents

No documents which require listing have been relied upon in the preparation of this report.