**Hackney**

# MINUTES OF A MEETING OF THE STANDARDS COMMITTEE

## MONDAY, 12TH FEBRUARY, 2018

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| **Councillors Present:** | **Deputy Mayor Anntoinette Bramble in the Chair** |
| | **Cllr Jessica Webb (Vice-Chair), Cllr Ben Hayhurst and Cllr Katie Hanson** |
| **Co optees Present** | **Adedoja Labinjo and Julia Bennett** |
| **Apologies:** | **Councillor Sally Mulready, Councillor Clare Potter, Councillor Clayeon McKenzie and Jonathan Stopes-Roe** |
| **Officers in Attendance:** | **Dawn Carter-McDonald, Legal Services, Rob Miller, Director ICT, Gareth Sykes, Governance Services** |

### 1 Election of the Committee Chair for the remainder of the municipal year 2017-18

1.1 The Committee agreed the election of Deputy Mayor Anntoinette Bramble as Chair of the Standards Committee for the remainder of the municipal year 2017-18.

### 1 Apologies for absence

2.1 Apologies for absence were received from Councillors Clare Potter, Clayeon McKenzie, Sally Mulready and independent member Jonathan Stopes-Roe.

2.2 Committee members thanked co-opted member George Gross for his time and work on the Standards Committee over the last 10 years. George had recently announced his resignation from the committee.

2.3 Julia Bennett announced that she was resigning from the committee. Like George Gross, Julia had been on the committee for ten years and now felt it was good time to step down and for new co-opted members to join. Julia thanked members for her time on the committee. The committee thanked for her time and work on the Standards Committee over the years.

### 3 Declaration of interests

3.1 There were no declarations of interest.

### 4 Minutes of the previous meeting

4.1 The committee agreed the minutes of the previous Standards Committee meeting held on 10th July 2017.

**RESOLVED** The Governance Services Officer would clarify with Michael Sheffield, Corporate Head of Audit, Anti-Fraud and Risk Management about working with the committee chair about a drafting some form of whistleblowing protocol. Governance Services Officer would then report back to the committee chair.

**RESOLVED** Councillor McKenzie would update members at the next Standards Committee meeting, following talks with the Council's Neighbourhoods and Housing department, about proper oversight and transparency in the event of future high profile incidents.

## 5 Annual report on compliance with guidance on members' use of ICT

5.1 Rob Miller, Director of ICT, introduced the seventh annual report. The report updated the committee on members' use of the ICT services provided by the Council.

5.2 Last year the Council's policies on *Using Systems and Data and Information Classification and Marking* was updated. The new policies were designed to ensure the council's guidance was up to date with current systems and the latest guidance from the UK government. Throughout 2017 communications were provided to members to support them in compliance with the requirements for the use of council ICT systems. These included:

- Notification about 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

5.3 Committee members noted that there had been two incidents relating to Members' use of the Council's ICT systems during 2017. Both incidents were lost / stolen devices and these were remotely erased to secure any data on the devices.

5.4 Rob Miller updated members about future changes for the secure delivery of email. The ICT department had identified ten members who currently have their Hackney council emails automatically forwarded to an alternative email address. Rob Miller is concerned that the sender of the original email would not be aware that information they included was redirected to an alternative email service that the council has not assured for security and privacy. Rob Miller explained that as part of the move to the Council's new email service members will be provided with easy access to the Council's system, including from personal devices, and forwarding of emails will no longer be available. The Cabinet and the Mayor's office will move to the new system in February / March and other members will be migrating after the municipal elections in May.

5.5 On data protection, Rob Miller explained that to help Members fulfil their obligations as elected Members, the Council had arranged to register each member as a 'Data Controller' with the Information Commissioner's Office (ICO). This was a mandatory requirement for all Members and would be

renewed by the council following the election in May 2018 and annually thereafter to ensure that Members' registration remains up to date.

5.6 Guidance sessions had been offered to members in autumn 2017 to support them in their understanding of their Data Protection (DP) responsibilities. Feedback from these sessions had been positive, although only a small number of members had attended the sessions. The sessions had also provided officers with additional understanding of members' work and helped to identify areas which require further consideration (e.g. shared working by ward teams). In light of recent high-profile cases of data breaches, e.g. Talk Talk, Rob Miller explained that is essential to ensure that the council and members are fully compliant with DP legislation.

5.7 Rob Miller updated the committee on the General Data Protection Regulation (GDPR). The GDPR would come into force on 25 May 2018. This would apply to all individuals and organisations, including members. The GDPR was 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.

5.8 Committee members noted that the Council's wi-fi access had also been upgraded last year. It would now cover all areas of the core campus (Hackney Town Hall, Hackney Service Centre, Annex and Christopher Addison House). There was now fast, consistent wi-fi that was easy for all users to access. The legacy 'Members wi-fi' service would be removed shortly.

5.9 Rob Miller explained that there was concern about the low attendance levels at advice and support sessions offered for members. The ICT team had tried to align the sessions with council meetings but take up had still been low. Rob Miller explained that moving forward the intention would be to offer members support through the improved arrangements that are now in place for all users of the council's ICT systems, which include bookable support appointments.

5.10 The ICT team are working with the Member Reference Group, led by the Deputy Mayor, to develop the ICT offer for new and returning members after May. There were a number of proposals including; returning members will continue to use their current devices, new members will either have a choice of PC or iPad and members would continue to be provided with access to email, calendar and committee papers.

5.11 The chair added that she was a member of the Member Reference Group but the Director of Strategy, Policy and Economic Development Stephen Haynes will be chairing the meetings. On the issue of emails the committee chair enquired about what would happen after changes to members email in terms of calendar invites? Rob Miller explained that members will be able to add their Hackney Council calendar alongside other personal / work calendars on their devices.

5.12 In a response to a question from Councillor Hayhurst, Rob Miller replied that as it had continued to prove difficult to offer advice sessions on dates that are convenient for members he believed it would be better to make it easy for members to get support and advice at a time that is convenient to them using the bookable appointment service.

5.13    In response to a question from Councillor Hanson, Rob Miller replied that ICT had tried to arrange advice sessions for members before Council meetings but this had not proven successful, with very few members taking up the opportunity. The ICT team would continue to work closely with Member Services to ensure that guidance on the Council's ICT systems and policies is included as part of the induction process after the May election.

5.14    In a response to a question from the committee vice-chair, Rob Miller replied that DP training was mandatory for all officers to complete. As part of work to prepare for the GDPR individuals who do not complete the mandatory training within two weeks of this being due will have their access to the Council's ICT systems withdrawn until they have completed the training.  Rob Miller proposes that this would also apply to members, although a slightly longer time period might be allowed (with allowance being made for long-term sickness, maternity leave etc). Rob Miller emphasised the seriousness of the need for all members and staff to be DP trained, citing the example of Croydon Council, whom in 2012 had been fined £100,000 for a DP breach.  Rob Miller added that under the GDPR the maximum potential fine for a DP breach would be 20 million euros or 4% of an organisation's turnover.

5.15    Co-opted member Julia Bennett added that it made sense to make DP training compulsory. This was particularly important to ensure that residents have confidence in the Council's safeguards for their data.

5.16    In a response to a question from Councillor Hanson on GDPR and the right to erasure ('right to be forgotten'), Rob Miller replied that ICT were currently examining this area in order to determine how the council can best process these requests in line with the different legal grounds for processing personal data and to help members to advise the public.

5.17    Committee members noted that the Local Government Association (LGA) were currently working on guidance for councillors re: GDPR.  Rob Miller confirmed that the ICT team will be working with the LGA and other external advisors to produce appropriate guidance for the council.

5.18    In a response to a question from the Chair, Rob Miller replied that the ICT team were aware, through the autumn 2017 advice sessions, of queries relating to the retention and distribution of personal information when a local resident contacts several councillors at the same time. The ICT team were currently examining the issue.

5.19    In a response to a question from the Chair on the implication of Councillors being registered as 'data controllers', Rob Miller explained that the DPA now placed particular requirements on elected members. As data controllers, councillors were already personally responsible (and liable) for the safeguarding of information that their constituents shared with them.

5.20    In a response to a question from Councillor Hanson, Rob Miller replied that the ICT team were currently looking at the issue of returning members who may currently use a different email address and will assist them as part of removing automatic forwarding of emails.

5.21  In response to the earlier question on local residents sending correspondence to multiple councillors, Councillor Hanson added that these instances were not unusual. In these circumstances it was important for the councillors involved to ensure that the council's DP policies allow them to work effectively as a ward team.

5.22  The Chair stressed that any ICT training must ensure there was special dispensation for those members who were unable to undertake it because of illness or maternity leave for example.

**RESOLVED** Rob Miller to ensure that training and guidance for Members includes advice to cover sharing of residents' information by ward councillor teams.

**RESOLVED** Rob Miller to ensure that Data Protection training for members is mandatory, with access to the Council's systems being removed if members do not complete the training within a reasonable period of time (taking into account absence due to illness, maternity leave etc).

**RESOLVED** Committee members noted the contents of the report.

### 6  Review of the Register of Members and Co-optees Declarations of Interest

**RESOLVED** Committee members noted the contents of the report.

**RESOLVED** Governance Services Officer to look at sending out the Register of Members' Interest form with the Related Party Transaction form to councillors after the May 2018 local election.

**Duration of the meeting:** 18:30 – 19:15hours

**Signed**

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**Chair of Committee, Deputy Mayor Anntoinette Bramble**

**Contact:**
Gareth Sykes, Governance Services