



Cabinet Member for Policy and Leadership

Time and Date

2.00 pm on Thursday, 13th April, 2017

Place

Committee Room 2, Council House, Coventry, CV1 5RR

Public Business

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes** (Pages 3 - 6)
 - a) To agree the minutes from the meeting held on 28 July, 2016
 - b) Matters Arising
4. **Code of Corporate Governance** (Pages 7 - 20)

Report of the Deputy Chief Executive (Place)
5. **Review of the Council's Whistleblowing Policy** (Pages 21 - 38)

Report of the Deputy Chief Executive (Place)
6. **Information Management Strategy Update - Information Risk Policy**
(Pages 39 - 52)

Report of the Director of Finance and Corporate Services
7. **Outstanding Issues**

There are no outstanding issues.
8. **Any Other Items of Public Business**

Any other items of public business which the Cabinet Member decides to take as matters of urgency because of the special circumstances involved.

Private Business

Nil

Martin Yardley, Deputy Chief Executive (Place), Council House Coventry

Wednesday, 5 April 2017

Note: The person to contact about the agenda and documents for this meeting is Suzanne Bennett Tel: 024 7683 3072 Email: suzanne.bennett@coventry.gov.uk

Membership: Councillors G Duggins, Cabinet Member

By Invitation: Councillor J Blundell, Shadow Cabinet Member

Please note: a hearing loop is available in the committee rooms

If you require a British Sign Language interpreter for this meeting OR if you would like this information in another format or language please contact us.

Suzanne Bennett

Telephone: (024) 7683 3072

e-mail: Suzanne.bennett@coventry.gov.uk

Coventry City Council
Minutes of the Meeting of Cabinet Member for Policy and Leadership held at 2.00 pm on Thursday, 28 July 2016

Members Present: Councillor G Duggins (Cabinet Member)
Councillor G Crookes (Substitute for Councillor Blundell)

Employees (by Directorate):

Resources J Barlow, H Lynch, J Sansom

Apologies: Councillor J Blundell

Public Business

1. Declarations of Interest

There were no declarations of disclosable pecuniary interests.

2. Minutes

The minutes of the meeting held on 8 October 2015 were noted and signed.

There were no matters arising.

3. Information Management Strategy Update

The Cabinet Member considered a report of the Executive Director of Resources in respect of the Council's information Management Strategy which has become increasingly critical to the way the public sector conducts business as services are integrated and the Council seeks to gain better outcomes with fewer resources and digitalise the way services are delivered. The Council's Information Management Strategy was approved by Cabinet in March 2016. Information being one of the greatest assets and its usage is a major responsibility. The Information Management Strategy will ensure that we exploit information as a strategic asset, using recognised best practice, legislation and technology to minimise requests for information and maximise the opportunities of information intelligence to share future services and evaluate the effectiveness of existing ones.

One of the work streams within the strategy related to information governance and data protection. In order to understand the level of maturity/assurance in relation to information governance across the organisation, the Council arranged for the Information Commissioner's Office (ICO) to conduct a data protection audit. Information Management specialists, In-Form Consult (IFC) were also engaged to conduct a Council wide maturity assessment of information management generally. IFC used the maturity assessment to create a roadmap/action plan identifying key work streams and activates required to implement the Council's vision for information management. There was some overlap between the activities' identified by IFC and the ICO audit. A copy of the road map was attached at Appendix 3 to the report.

The Committee noted that the ICO would conduct a follow up audit towards the end of 2016/17 to assess progress against the recommendations. The Council was well on track to have implemented the majority if not all of the actions in advance of this audit. By implementing these actions, the Council would hope to significantly increase its assurance ratings.

The report was also considered by the Audit and Procurement Committee on 25 July 2016 and there were no recommendations from that meeting for the Cabinet Member for Strategic Finance and Resources to consider. The Committee noted that the Audit and Procurement Committee had discussed the concerns that had been raised and requested that a further report on progress with the actions be submitted to their next meeting.

The Members discussed the concerns that had been raised by ICO audit and the IFC assessment and requested that a joint meeting of the Cabinet Member for Policy and Leadership and Audit and Procurement meeting be explored for the end of October 2016. It was agreed that Councillor Crookes be invited to the joint meeting.

RESOLVED that the Cabinet Member for Policy and Leadership:

- 1. Notes the outcome of the Information Commissioner's Office (ICO) Audit and In-form Consult Maturity Assessment;**
- 2. Notes the progress to date on the ICO Audit and Maturity Assessment Action Plans;**
- 3. Requests that Officers bring a further report to the Committee on the outcome of the follow up audit by the Information Commissioner;**
- 4. Requests the following additional recommendation: The possibility of a joint Audit and Procurement Committee and Cabinet Member for Policy and Leadership meeting by the end of October 2016, be explored.**

4. Outstanding Issues

There were no outstanding issues to report.

5. Any Other Items of Public Business

RESOLVED that the Cabinet Member gives approval for the Lord Mayor and Professor Matt Qvortrup, Professor of Applied Political Science from Coventry University to undertake a civic visit to Volgograd, Russia from 30th October to 2nd November 2016.

(Note: The above matter was considered as an item of urgent business, the reason for urgency being the need to seek approval for attendance at the visit prior to the next scheduled meeting of the Cabinet Member).

(Meeting closed at 2.30pm)

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Cabinet Member for Policy and Leadership

13 April 2017

Name of Cabinet Member:

Cabinet Member for Policy and Leadership – Cllr G Duggins

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

N/A

Title:

Code of Corporate Governance

Is this a key decision?

No

Executive Summary:

Coventry City Council has a range of measures to ensure that governance in the organisation is managed effectively. In 2016, the Chartered Institute of Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE) updated their guidance on Corporate Governance and published the new *Delivering Good Governance in Local Government Framework*. This provides a best practice framework for local authorities to help make sure that their resources are directed in accordance with agreed policy and according to priorities, that there is sound and inclusive decision-making and that there is clear accountability for the use of those resources in order to achieve the desired outcomes for service users and communities. It sets out the principles that underpin good governance and how local authorities can assure themselves and others that they are meeting them.

This report proposes introducing a new Code of Corporate Governance and review process for the City Council in line with the principles and best practice set out in the national framework.

Recommendations:

The Cabinet Member for Policy and Leadership is recommended to approve the attached Code of Corporate Governance attached at Appendix 1.

List of Appendices included:

Appendix 1: Code of Corporate Governance

Other useful background papers:

Delivering Good Governance in Local Government: Framework (2016 edition)
Delivering Good Governance in Local Government: Guidance for English Local Authorities (2016 edition)
(Governance Services, Room 59, Council House)

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

Audit Committee reviewed the draft policy at its meeting on 3 April 2017

Will this report go to Council?

No

Report title: Code of Corporate Governance

1. Context (or background)

1.1 Coventry City Council first introduced a Code of Corporate Governance in 2009 based on best practice at the time. The context in which local government operates has changed significantly since then including a period of significant financial challenge, the growing devolution agenda and the introduction of a wide range of legislation that has brought new roles, responsibilities and opportunities for collaboration with a wider range of partners. National guidance has been updated to reflect this, particularly strengthening the focus on sustainable social, economic and environmental outcomes, the links between governance and financial management and the importance of long term planning. The revised Code reflects the new guidance and how it can be used to strengthen corporate governance in the City Council.

2. Options considered and recommended proposal

2.1 Ensuring that its governance arrangements are effective is important for any organisation but particularly so in the public sector where local authorities are large organisations delivering services and outcomes for a wide range of people with public money. In this context governance arrangements must not only be sound but must be seen to be sound.

2.2 Good governance is about making sure that resources are directed in accordance with agreed policy and according to priorities, that there is sound and inclusive decision-making and that there is clear accountability for the use of those resources in order to achieve the desired outcomes for service users and communities. The new national guidance sets out the principles that underpin good governance and the revised Code adopts these:

- Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law
- Ensuring openness and comprehensive stakeholder engagement
- Defining outcomes in terms of sustainable economic, social, and environmental benefits
- Determining the interventions necessary to optimise the achievement of the intended outcomes
- Developing the Council's capacity including the capability of its leadership and the individuals within it
- Managing risks and performance through robust internal control and strong public financial management
- Implementing good practices in transparency, reporting, and audit to deliver effective accountability

2.3 Coventry City Council works hard to ensure that its arrangements for governance are robust and meet best practice. In reality this is achieved through a range of policies, plans, procedures such as the Constitution (including codes of conduct for Members and employees), the Council Plan, the Medium Term Financial Strategy and policies on whistle blowing, tackling fraud and corruption and managing risk. The Code of Corporate Governance does not set out to list or replicate these. Instead it provides a framework against which these can be assessed to ensure that the principles of the code are being met, that there are systems and processes in place to measure their effectiveness and that gaps in policies, performance or assurance are identified and appropriate actions developed.

2.4 In addition to setting out the principles of good governance, the national framework also provides examples of systems, processes, documentation and other evidence that can help to demonstrate how local authorities are meeting these. The City Council will use this to support an annual review of how it is meeting the Code. As well as ensuring that the Council has the right policies, plans and procedures in place, it will also review the arrangements that are in place to measure their effectiveness.

2.5 Local authorities are required to conduct a review at least once every financial year of the effectiveness of their systems of internal control and to report on this review with its Statement of Accounts. The Code of Corporate Governance and its annual review will inform this process. The review of the Code will follow the cycle set out below:

September – December	Review of Code of Corporate Governance to include: <ul style="list-style-type: none"> • what is in place to demonstrate that the principles in the Code are being met • what is in place to measure the effectiveness of systems and processes • any gaps in policies, performance or assurance and identification of any actions
Beginning of April	Guidance for producing directorate Statements of Internal Control prepared, incorporating any issues identified in the review of the Code
During April	Directorates produce Statements of Internal Control as part of Annual Governance Statement
May/June	Audit and Procurement Committee sign off statement of accounts and Annual Governance Statement, incorporating issues arising from review of the Code and Statements of Internal Control

2.6 The national framework provides examples of systems, processes, documentation and other evidence that help to demonstrate compliance, together with self-assessment tools and sources of further guidance. For example, for the principle *behaving with integrity*, the national framework includes for Members having a Code of Conduct, means by which Members interests can be registered, declared, recorded and reviewed and an effective Committee to oversee standards.

2.7 The annual review of the Code will use the information provided in the national framework to assess the effectiveness of governance arrangements by addressing the following questions:

What is in place to demonstrate that the principles are being met?

This will provide a check to make sure that the Council has the appropriate systems processes and documentation in place and that they reflect best practice. It will also identify any work that is taking place to address identified gaps.

Example: for the principle *behaving with integrity*, this would include for Members Coventry’s Member Code of Conduct, registers of interests, the processes for making and recording declarations at meetings, processes for declaring gifts and hospitality, the training and support provided to Members and oversight of these issues by the Ethics Committee.

What arrangements are in place to measure the effectiveness of systems and processes?

An assessment of the arrangements that the Council has in place to provide assurance that the policies and arrangements are working and effectively and that where shortfalls are identified, these are being addressed.

Example: for the principle *behaving with integrity*, this would include for Members the sign off arrangements for the Code and registers of interests, gifts and hospitality; how we ensure they are kept up to date; whether appropriate training and support is provided to Members; and that there is appropriate oversight of these issues by the Ethics Committee.

Identify any gaps in policies, performance or assurance

An assessment of any gaps and the action required to address them. Actions will be prioritised, worked into an action plan for the following year which would be used to inform the Annual Governance statement.

- 2.8 A full review of Corporate Governance arrangements against the Code and the national framework will take place in the autumn of 2017. However, governance arrangements are kept under regular review and actions planned that will help to strengthen governance arrangements are summarised below.

Action	Lead Officer	For consideration by
Revise Whistleblowing policy and promote once approved	Acting Monitoring Officer	Ethics Committee 17 March 2017, Audit and Procurement Committee 3 April 2017, Cabinet Member Policy and Leadership 13 April 2017
Review and update complaints protocol for Members as part of Code of Conduct	Acting Monitoring Officer	Ethics Committee 17 March 2017
Write and Implement a Member/ Officer Protocol setting out roles, expectations, behaviours and working relationships	Acting Monitoring Officer	Drafted for consideration by Ethics Committee and Council during 2017/18
Develop Monitoring Officer Protocol setting out role, rights and responsibilities	Acting Monitoring Officer	Ethics Committee and Council during 2017/18
Develop procedure to record and publish relevant decisions by officers	Members and Elections Team Manager	Constitutional Advisory Panel, Cabinet Member Policing and Equalities and Council during 2017/18
Review and update the Fraud and Corruption Strategy and operational counter fraud framework in light of national guidance issued by the Cabinet Office and CIPFA.	Acting Chief Internal Auditor	Outcome reported to Audit and Procurement Committee 2017/18
Review Risk Management Policy, Strategy and operational Framework	Insurance Manager	Review completed. Revised Policy, Strategy and Framework to be submitted to Strategic Management Board by June 2017

3. Results of consultation undertaken

- 3.1 The Audit and Procurement Committee approve the annual governance statement and the views of the Committee was sought as part of the preparation of this Code. The Committee considered a draft of the proposed Code at its meeting on 3 April and supported the approach. They stressed the importance of ensuring that the proposed review process is robust in order that the Council can assess itself effectively against both the principles of the Code and the best practice identified in the national framework. They sought assurance about how the review cycle would operate to identify gaps and deliver improvement and how progress would be reported and monitored.

4. Timetable for implementing this decision

- 4.1 Approval of the Code will support the development of the Annual Governance Statement for consideration by the Audit and Procurement Committee in June. The timetable for reviewing the effectiveness of the code as set out in paragraph 2.5 will be followed annually.

5. Comments from Director of Finance and Corporate Resources

- 5.1 Financial implications
There are no direct financial implications arising from this decision. Ensuring that the Code is up to date and reflects best practice will support robust internal control and strong financial management.
- 5.2 Legal implications
There are no direct legal implications arising from this decision. The preparation and publication of an Annual Governance Statement fulfils the statutory requirements across the United Kingdom for a local authority to conduct a review at least once in each financial year of the effectiveness of its system of internal control and to include a statement reporting on the review with its Statement of Accounts. In England the Accounts and Audit Regulations 2015 stipulate that the Annual Governance Statement must be “prepared in accordance with proper practices in relation to accounts” and must be approved in advance of the Council approving the statement of accounts. Adoption of the Code and the annual review cycle will help to ensure that the completion of the Annual Governance Statement reflects best practice.

6. Other implications

- 6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?**

The Code is an important part of the framework and assurance process that helps to ensure that governance arrangements for decision-making and implementation of the Council's policies, plans and procedures are effective.

6.2 How is risk being managed?

Robust internal control, including ensuring effective arrangements for risk management, is a principle of the Code. Building the Code into the annual cycle for reviewing governance and internal control will help to ensure that any risks that could impact on effective corporate governance are identified and addressed

6.3 What is the impact on the organisation?

The Code provides the framework for the key policies, plans, protocols and systems which support good governance across the Council. Using the Code as the basis for a programme of regular review and developing appropriate actions to meet any gaps will over time strengthen governance arrangements throughout the organisation.

6.4 Equalities / EIA

One of the principles of the Code is that the rule of law is respected and it provides a further check that equalities legislation is being adhered to.

6.5 Implications for (or impact on) the environment

One outcome of the recent revisions to the national guidance was to build sustainable economic, social and environmental benefits into the framework and this has been incorporated into Coventry's Code.

6.6 Implications for partner organisations?

Ensuring openness and comprehensive stakeholder engagement is one of the key principles of the Code and will support effective partnership working.

Report author(s):

Name and job title:

Adrian West, Members and Elections Team Manager

Directorate:

Place

Tel and email contact:

024 7683 2286 adrian.west@coventry.gov.uk

Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Suzanne Bennett	Governance Services Officer	Place	09/03/17	20/03/17
David Johnston	Insurance Manager	Place	09/03/17	10/03/17
Karen Tyler	Acting Chief Internal Auditor	Place	09/03/17	15/03/17
Carol Bradford	Corporate Governance Lawyer	Place	09/03/17	10/03/17
Names of approvers for submission: (officers and members)				
Finance: Paul Jennings	Finance Manager (Corporate Finance)	Place	09/03/17	10/03/17
Legal: Helen Lynch	Acting Monitoring Officer	Place	08/03/17	09/03/17
Director: Barry Hastie	Director of Finance and Corporate Services	Place	22/03/17	28/03/17
Members: Cllr George Duggins	Cabinet Member for Policy and Leadership		13/03/17	30/03/17

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Appendices

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Coventry City Council

Code of Corporate Governance

Introduction

Governance is about the arrangements that organisations put in place to make sure that their aims are defined and achieved. For local authorities it is also about making sure that councils act in the public interest.

Coventry City Council works hard to ensure that its arrangements for governance are robust and meet good practice. This Code of Corporate Governance sets out the Council's commitment to the principles of good governance and how it ensures that they are being followed.

Good Corporate Governance

In 2016, the Chartered Institute of Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE) updated their guidance on Corporate Governance and produced published the new *Delivering Good Governance in Local Government Framework*. This provides a best practice framework for local authorities to help make sure that their resources are directed in accordance with agreed policy and according to priorities, that there is sound and inclusive decision-making and that there is clear accountability for the use of those resources in order to achieve the desired outcomes for service users and communities. It sets out the principles that underpin good governance and how local authorities can assure themselves and others that they are meeting them.

Coventry City Council's Code of Corporate Governance

Coventry City Council's Code of Corporate Governance adopts the principles set out in the new CIPFA/SOLACE Framework and explains what these mean for the way the Council operates. The Code provides the framework for the key policies, plans, protocols and systems which support good governance across the Council.

Demonstrating the principles of good Corporate Governance

Principles	Sub principles	The Council does this by
A: Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law	Behaving with integrity	Ensuring members and officers behave with integrity and creating a culture which focuses on acting in the public interest.
	Demonstrating strong commitment to ethical values	Ensuring that Members, officers and external service providers understand and demonstrate the ethical values of the Council, which are set out in our policies and procedures.
	Respecting the rule of Law	Ensuring members and officers demonstrate a strong commitment to the rule of the law and adhere to relevant laws and regulations.
B: Ensuring openness and comprehensive stakeholder engagement	Openness	Ensuring an open, accessible and transparent culture which underpins decision-making.
	Engaging with citizens and stakeholders	Effectively engaging with citizens, service users and stakeholders, ensuring that communication and engagement methods are effective and that feedback mechanisms are in place.
C: Defining outcomes in terms of sustainable economic, social, and environmental benefits	Defining outcomes	The Council has a clear vision which sets out what it is planning to achieve and how it will monitor and report progress.
	Sustainable economic, social and environmental benefits	Considering and balancing the combined economic, social and environmental impacts of policies, plans and decisions and ensure fair access to services.
D: Determining the interventions necessary to optimise the achievement of the intended outcomes	Identifying the right course of action	Ensuring decision makers have the information they need.
	Planning action	Establishing and implementing robust planning and performance cycles, underpinned by effective resource planning.
	Maximising outcomes	Ensuring that resources are used in the most effective way to support the Council's priorities

Principles	Sub principles	The Council does this by
E: Developing the Council's capacity including the capability of its leadership and the individuals within it.	Developing capacity	Maximising the capacity of the Council by making sure its assets, resources, partnerships and employees are as effective as possible.
	Developing strong leaders	Developing the leadership skills and capacity of members, senior managers and employees to meet the challenges facing the Council.
F: Managing risks and performance through robust internal control and strong public financial management	Managing risk	Recognising that risk management is an integral part of Council business and decision-making.
	Managing performance	Monitoring service delivery effectively and ensuring an effective scrutiny function is in place to provide constructive challenge.
	Robust internal control	Ensuring effective arrangements for risk management, counter fraud and anti-corruption arrangements are in place and that the Audit and Procurement Committee provides effective assurance.
	Managing data	Ensuring effective arrangements are in place to identify information assets and risks and for the safe collection, storage, use and sharing of data.
	Strong financial management	Ensuring financial management supports short-term financial and operational performance as well as longer-term aims.
G: Implementing good practices in transparency, reporting, and audit to deliver effective accountability	Implementing good practise in transparency	Ensuring reports used for decision making are clear, balanced and easy to read.
	Implementing good practices in reporting	Reporting regularly on performance, value for money and use of resources.
	Assurance and effective accountability	Ensuring that learning, improvements and corrective actions from audit, peer challenges, reviews and inspections are acknowledged and appropriate changes are made.

Review of the Code and Governance Arrangements

Local authorities are required to conduct a review at least once every financial year of the effectiveness of their systems of internal control and to report on this review with its Statement of Accounts. The Code of Corporate Governance forms a key part of this process.

To ensure that the Code and the Council’s policies, plans, protocols and systems are kept up to date, governance arrangements will be reviewed on an annual basis against best practice as set out in the national framework. The purpose of the review will be to ensure that the Council’s governance arrangements meet the principles of the code, that there are systems and processes in place to measure their effectiveness and that gaps in policies, performance or assurance are identified and appropriate actions developed. The review will follow the cycle set out below:

September - December	Review of Code of Corporate Governance to include: <ul style="list-style-type: none"> • what is in place to demonstrate that the principles in the Code are being met • what is in place to measure the effectiveness of systems and processes • any gaps in policies, performance or assurance and identification of any actions
Beginning of April	Guidance for producing directorate Statements of Internal Control prepared, incorporating any issues identified in the review of the Code
During April	Directorates produce Statements of Internal Control as part of Annual Governance Statement
May/June	Audit and Procurement Committee approve the statement of accounts and Annual Governance Statement, incorporating issues and actions arising from the review of the Code and Statements of Internal Control

The Council’s Audit and Procurement Committee is responsible for approving the Annual Governance Statement alongside the Statement of Accounts.



Public report

Ethics Committee
Audit and Procurement
Cabinet Member for Policy and Leadership

17 March 2017
3 April 2017
13 April 2017

Name of Cabinet Member:

Cabinet Member for Policy and Leadership – Councillor G Duggins

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

Not applicable

Title:

Review of the Council's Whistleblowing Policy.

Is this a key decision?

No

Executive Summary:

The Committee's work programme includes a review of the Whistleblowing Policy. The Whistleblowing Policy has been reviewed in light of the Rotherham report where that Council was criticised for not having effective procedures in place for reporting suspected wrongdoing. This review has now been completed. As a result of the review a new draft policy has been prepared. The Committee is asked to consider the draft policy and make any suggestions for additions or amendments to the policy.

Monitoring the Council's policies on whistleblowing is part of the terms of reference of Audit and Procurement Committee and so any comments of the Ethics Committee will be forwarded to that Committee with the decision to approve resting with the Cabinet Member (Policy and Leadership).

Recommendations: Ethics Committee

The Ethics Committee is recommended to consider the revised draft policy attached at Appendix 2 and to recommend any changes or amendments the Committee considers appropriate to the Audit and Procurement Committee.

Recommendations: Audit and Procurement Committee

The Audit and Procurement Committee is recommended to consider the revised draft policy attached at Appendix 2 and to recommend any changes or amendments the Committee considers appropriate to the Cabinet Member for Policy and Leadership. The Committee is recommended to consider any recommendations made by the Ethics Committee.

Recommendations: Cabinet Member for Policy and Leadership

The Cabinet Member for Policy and Leadership is recommended to consider the revised draft policy attached at Appendix 2 together with any recommendations From Ethics Committee and Audit and Procurement Committee and to approve the policy.

List of Appendices included:

1. Current whistleblowing policy
2. Revised draft whistleblowing policy

Other useful background papers:

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

Yes - Audit and Procurement Committee – 3 April, 2017

Cabinet Member for Policy and Leadership – 13 April, 2017

Will this report go to Council?

No

Report title: Review of Whistleblowing Policy

1. Context (or background)

- 1.1 The Council is not required by law to have a whistleblowing policy. However, it is recommended in government guidance and by Public Concern at Work that employers should, as a matter of best practice, have a whistleblowing policy as it shows the employer's commitment to listening to concerns and addressing them appropriately. Such a policy helps to foster an open culture where employees are encouraged to report concerns. It is best practice to have a whistleblowing policy in order to maintain high standards of openness and accountability and to encourage those with concerns to raise them using the policy.
- 1.2 Whistleblowing legislation is governed by the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). This legislation provides that certain individuals (employees, workers, agency workers) are protected from suffering any detriment i.e. any disadvantage because he/she has made a protected disclosure.
- 1.3 Under the Enterprise and Regulatory Reform Act 2013 a disclosure is only a protected disclosure if the individual reasonably believes that the disclosure is in the public interest and that it relates to one of the prescribed categories as specified under paragraph 7 of the draft policy (attached at appendix 2).
- 1.4 One of the key concerns raised in the Rotherham report was that the whistleblowing policy was inadequate and did not provide adequate protection to whistle-blowers. The review of the City Council's policy has sought to address these concerns through the use of safeguards and protections for individuals.
- 1.5 The whistleblowing policy has been reviewed in order to ensure that the policy is fit for purpose and complies with the legislative requirements.
- 1.6 Local authority schools should review their Whistleblowing Policy in light of the Council's review and update their policy where appropriate. The Council will liaise the governing bodies to ensure that they are aware of the amendments made.

2. Options considered and recommended proposal

- 2.1 The policy has been reviewed and amendments have been made to the current policy (attached at appendix 1). In outline, the following amendments have been made:
 - 2.1.1 References to named officers have been removed in order to avoid the policy becoming obsolete when individuals leave the organisation or move positions.
 - 2.1.2 A sample reporting template has been included to assist those who are reporting concerns.
 - 2.1.3 The draft policy extends the time limits for the employer's response.
 - 2.1.4 The draft policy aims to be more user-friendly by framing the information as a question in order guide those using the policy.

- 2.2 The Committee has the option to recommend the adoption of the policy, with or without amendments. Or secondly, to reject the draft policy and to continue with the current policy which has not been revised for some years.
- 2.3 The Committee is asked to consider the draft policy and agree its contents together with any other recommendations it may wish to make to Audit and Procurement Committee and to the Cabinet Member (Policy and Leadership).

3. Results of consultation undertaken

This policy has been shared with senior officers and the trade union core group.

4. Timetable for implementing this decision

- 4.1 If approved, the policy should be implemented once formally approved.

5. Comments from Director of Finance and Corporate Services

5.1 Financial implications

There are no specific financial implications arising from the recommendations within this report.

5.2 Legal implications

The adoption of the policy would ensure that the Council is compliant with the legislation as detailed above.

6. Other implications

None

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

The whistleblowing policy would assist in contributing to the objective of being locally committed as detailed in the Council's plan. The policy would help to achieve this by encouraging the raising of concerns in order to help to protect our most vulnerable people.

6.2 How is risk being managed?

The current policy is out of date and there is a risk that the Council is not currently complying with its legal obligations.

6.3 What is the impact on the organisation?

The policy would ensure compliance with the Council's legal obligations. The new policy would raise awareness of whistleblowing within the Council and would encourage the reporting of concerns. It would also ensure that any concerns are reported to the appropriate person and that the individual reports concerns to the Monitoring Officer who will maintain a record of concerns.

6.4 Equalities / EIA

There are no public sector equality duties which are of relevance at this stage.

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

None at this stage

Report author(s): Laura Stockin

Name and job title: Senior Legal Officer, Legal Services, 3rd Floor Broadgate House

Directorate: Place

Tel and email contact: 024 7683 3006 Laura.Stockin@coventry.gov.uk

Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Suzanne Bennett	Governance Services Officer	Place	08/03/2017	09.03.17
Names of approvers for submission: (officers and members)				
Finance: Kathryn Sutherland	Lead Accountant	Place	06/03/2017	06/03/2017
Legal: Helen Lynch	Legal Services Manager Place and Regulatory	Place	02/03/2017	02/03/2017
Director: Barry Hastie	Director of Finance and Corporate Services	Place	06/03/2017	08/03/2017
Councillor Duggins	Cabinet Member for Policy and Governance		09.03.17	09.03.17

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Appendix 1: Current Whistleblowing Policy

Appendix 2: Revised Whistleblowing Policy



Whistleblowing Policy

October 2007

1. Introduction

- 1.1 The Council takes malpractice seriously and encourages people to speak out if they are aware of any actual or potential malpractice within the organisation. The Council is committed to creating an open culture, where concerns can be raised without fear of reprisals.
- 1.2 The whistleblowing policy exists to help individuals raise concerns over any wrongdoing within Coventry City Council relating to unlawful conduct, financial malpractice, or dangers to the public or the environment. It does not apply where employees are aggrieved about their own personal position – in such instances the Council's grievance procedure applies. (Details of this are available from the intranet or from Human Resources.) The Whistleblowing Policy is primarily for concerns where the interests of others or of the organisation itself are at risk.
- 1.3 The policy is intended to encourage and enable individuals to raise serious concerns within the Council rather than overlook a problem. The policy also outlines how individuals may properly raise concerns outside the Council.
- 1.4 The policy supports the Council's Fraud and Corruption policy and complements other specific investigation procedures developed to support vulnerable groups i.e. Safeguarding Children and Vulnerable Adult¹ Protection.
- 1.5 **If you have a concern, you should contact:**
 - **For fraud and financial irregularity - the Internal Audit Manager (Stephen Mangan ext 3747)**
 - **For all other matters - the Head of Legal Services and Monitoring Officer as Monitoring Officer (Christine Forde ext 1587)**

¹ A Vulnerable adult is 'a person aged 18 years or over, who is in receipt of or may be in need of community care services by reason of 'mental or other disability, age or illness and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'

- 1.6 All employees of the Council may use this Code. This includes permanent and temporary employees. It also covers agency workers and employees seconded to a third party. Any concerns relating to the third party, if relevant to the employee's secondment, can also be raised under this Code.

Contractors working for the Council may also use the provisions of this Code to make the Council aware of any concerns that the contractor's employees may have with regard to contractual or other arrangements with the City Council. The private concerns of the contractor relating to non-council business should be raised with the relevant contractor and/or other suitable agency/regulator - including the police, if appropriate.

- 1.7 This Policy also applies to Teachers and School employees, subject to its adoption by Governing Bodies. In Voluntary Aided schools, the Governors are the employers of the staff and not the City Council. Employees based within such establishments may wish to report concerns to the Diocesan authorities, or the external sources, referred to at paragraph 9 below.

- 1.8 Matters reported directly to the Council by a school based Council employee will be referred to the Director of Children Learning and Young People before further action is taken. Matters reported directly to the Council by an employee of a Voluntary Aided School will be referred to the Diocesan authority by the Director of Children, Learning and Young People.

- 1.9 Details of how to raise a whistleblowing concern are given in section 4 of this document.

2. Policy statement

- 2.1 The Council is committed to the highest possible standards of openness, probity, and accountability and will take action to address improper practices. As part of this commitment, the Council is determined to follow best practice on whistleblowing and:

- provide opportunities for individuals to raise concerns outside of their line management structure;
- not allow any individuals who come forward with concerns raised in good faith to be discriminated against or victimised;
- ensure concerns are treated in confidence and make every effort not to reveal the identity of the whistleblower. (The Council cannot give a complete assurance that an individual's identity would not be revealed – see section 6.);
- investigate all concerns, ensure individuals get a response to their concerns, and take all possible action against wrongdoers;
- take action against anyone found to have made a false allegation maliciously.

3. When does the whistleblowing policy apply?

- 3.1 The Public Interest Disclosure Act 1998 sets out the categories where the statutory whistleblowing protection applies. These are:

- a criminal offence;
- a failure to comply with a statutory or legal duty (e.g. Race Relations (Amendment) Act, Data Protection Act etc.);
- improper unauthorised use of public funds or other funds;
- a miscarriage of justice;
- sexual or physical abuse of any employee or service recipient;
- discrimination of an employee or service recipient on the grounds of sex, age, race, disability, religion, belief or sexual orientation.

- endangering of an individual's health and safety;
- damage to the environment;
- deliberate concealment of any of the above.

3.2 In addition, the Council will provide similar protection to any employee "blowing the whistle" on any issue deemed to be a breach of the Council's code of conduct.

3.3 The overriding concern should be that it would be in the public interest for malpractice to be corrected and, if appropriate, sanctions applied.

3.4 The policy is subject to any relevant legislation and specifically will operate within the requirements of the Data Protection Act.

4. How to raise a concern

4.1 The Public Interest Disclosure Act encourages individuals to raise their concern with their employer. Within the Council, the key contacts to raise whistleblowing concerns with are:

Potential fraud or financial irregularity

- Internal Audit Manager (Stephen Mangan ext 3747).

Other concerns

- The Council's Monitoring Officer (Christine Forde on ext 1587)

In addition, employees can make initial contact with any of the following:

- Supervisor, manager, or Head of Service
- Head of Establishment or Headteacher
- Trade Union representative

Any of the above will provide advice on how to take the issue forward and will ensure that the relevant key contact is notified that a whistleblowing concern exists.

If the concern is connected with a direct line manager/supervisor then, if appropriate, the Directorate's HR Manager will provide confidential advice as to whom the concern should be directed. Alternatively, the Internal Audit Manager or the Acting Head of Legal Services and Monitoring Officer as the Council's Monitoring Officer should be contacted directly.

4.2 Whilst individuals can raise concerns verbally, it is often better to put them in writing², but any method of communication is acceptable. The information needed is the background and history of the concern giving names, dates and places where possible, and the reason for the particular concern. To allow any points raised to be clarified, individuals will need to provide details of how they can be contacted.

4.3 The earlier concerns are raised; the easier it will be to take action.

4.4 Advice and guidance on how matters of concern may be pursued can be obtained from the following:

- Line manager, headteacher
- Human Resources
- Internal Audit Services
- Trade union/professional association
- Public Concern at Work. This is an independent charity that operates a confidential helpline to provide free impartial advice for persons who wish to express concern about

² This can be hand written or by e-mail. If using e-mail you must consider the security and confidentiality aspects of this method.

fraud and other serious malpractice. The telephone number is **020 7404 6609**. Further details are available from their website – www.pcaw.co.uk.

4.5 Trade Union representatives may support an employee raising an issue of concern throughout the process.

5. How the Council will respond.

5.1 Any concern raised either in writing or verbally under the whistleblowing policy, will be acknowledged in writing within 3 days. This will:

- Acknowledge that the concern has been received;
- Summarise the details of the concern;
- Identify who is dealing with the matter.

5.2 The action taken by the Council will depend on the nature of the concern. The matters raised may be:

- investigated internally by an appropriately skilled and experienced employee, knowledgeable in the area concerned e.g. Manager, Internal Audit, Social Care Manager, Benefits Investigation Team, Human Resources, Chief Executive, the Council's Monitoring Officer, Vulnerable Adults Protection Coordinator, the Safeguarding Children Officer etc;
- referred to the Police;
- referred to the Health and Safety Executive
- referred to the External Auditor or Ombudsman;
- referred to the National Standards Board;
- the subject of an independent enquiry.

5.3 In order to protect individuals and the Council, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations that fall within the scope of specific procedures (for example, safeguarding children, vulnerable adults' protection, or discrimination issues) will normally be referred for consideration under those procedures.

5.4 Some concerns may be resolved by agreed action without the need for further investigation.

5.5 The amount of contact between the officer(s) considering the issues and the employee reporting the concern will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be obtained from the individual reporting the concern in a discreet manner.

5.6 When any meeting is arranged, individuals will have the right, if desired, to be accompanied by a trade union or other representative. The meeting can be arranged away from the normal place of work, if requested.

5.7 The Council will take steps to minimise any difficulties which individuals may experience as a result of raising a concern and provide any appropriate support. For instance, if the individual is required to give evidence in disciplinary or criminal proceedings, the Council will provide advice about the procedure.

5.8 The Council accepts that individuals raising a concern need to be assured that the matter has been properly addressed and will notify them when the whistleblowing policy process has been completed. This will normally be within 20 working days of a concern being raised. In addition, details will be given on what action has been taken to correct working practices, which have been found to be at fault by the investigation.

5.9 If an allegation is received anonymously, it may restrict what the Council is able to do.

There is an expectation that the person reporting a matter will disclose their identity to the Audit Manager, as this will facilitate the investigation. The Council will endeavour to maintain the person's anonymity wherever possible.

5.10 The following factors will be considered when establishing the scope and depth of any investigation:

- The seriousness of the issues raised;
- The credibility of the concern; and
- The likelihood of confirming the allegation from recognised sources and information available.

6. Safeguards

6.1 The Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the alleged malpractice.

The Council will not tolerate harassment or victimisation and will take action to protect individuals wherever possible provided that:

- The concerns are raised in good faith;
- The information provided is believed to be true, even if the allegation is not subsequently confirmed by the investigation;
- Allegations are not made for personal gain.

The Internal Audit Manager or the monitoring officer will carry out a risk assessment to determine safeguards as necessary.

6.2 Every effort will be made to ensure confidentiality as far as is reasonably practical. Individuals should be aware that actions taken as a result of their report may lead to their identity being revealed, either by inference or as a result of disciplinary or legal proceedings. If this should happen, the Council will not tolerate any individual being victimised in any way.

6.3 Support will be provided to help overcome any difficulties experienced as a result of raising a concern. During the investigation, any meetings with the individual raising the concern can be arranged away from their place of work and they will have the opportunity to be accompanied by a representative of their choice, if they wish. If the individual is required to present evidence as a witness, arrangements will be made to provide them with support through the process. Access to counselling and support is available to all employees.

6.4 Every effort will be made to keep the individual reporting the matter of concern informed. However, the information provided will be determined by the nature of the investigation and whilst safeguarding the rights of other individuals involved in the process.

7. Malicious Allegations

7.1 The Council will take action against any individual found to have made a malicious or vexatious allegation. For an employee, this could result in disciplinary proceedings.

8. Raising concerns outside of the Council.

8.1 This policy is intended to provide employees with an avenue to raise concerns **within** the Council. If an employee instead takes the matter outside the Council, they should ensure that they do not disclose confidential information. Employees should also check that they do not contravene the Public Interest Disclosure Act as this does not provide blanket protection and only allows individuals to disclose matters to their employer or specified bodies. Any breach of the Act could lead to disciplinary action.

8.2 If an individual wishes to raise a concern outside the council or feels that the Council has not handled their concern appropriately, the following possible contact points may be relevant –

- The Ombudsman – 0845 602 1983 (www.lgo.org.uk)
- The Audit Commission. 0844 7981212 www.audit-commission.gov.uk
- Relevant professional bodies or regulatory organisations
- Trade Union/Professional Association – details are available from Human Resources
- Your solicitor
- The Police
- The Health and Safety Executive

9 Monitoring

9.1 Monitoring of the Whistleblowing Procedure will be undertaken by the Council's Standards Committee in accordance with the Constitution.

Whistleblowing Policy
2017

Introduction

1. The Council takes malpractice seriously and encourages people to speak out if they are aware of any actual or potential misconduct or wrongdoing within the organisation. The Council is committed to creating an open culture, where concerns can be raised without fear of suffering a detriment.
2. The whistleblowing policy is crucial in order to maintain high standards of openness and accountability and encourages those who have legitimate concerns to raise them using this policy.
3. Employees are encouraged to contact their supervisor, line manager or head of service in order to report their concerns. Any concerns will be addressed appropriately by the individual.

What is Whistleblowing?

4. Whistleblowing is the making of a protected disclosure i.e. 'blowing the whistle' on actual or potential wrongdoing. It is a way to raise a concern over such wrongdoing. It is not a way to raise personal grievances and any such concerns should be raised through the Council's grievance procedure.
5. It may be appropriate for your concern to be dealt with under another Council procedure e.g. safeguarding, grievance, etc. If this is the case then you will be notified accordingly.
6. Whistleblowing is covered by the Employment Rights Act 1996 Part IVA, as amended by the Public Interest Disclosure Act 1998.

When can a concern be raised?

7. To be covered by this policy the wrongdoing must fall within one of the following grounds:
 - a. A criminal offence
 - b. Breach of any legal obligation
 - c. Miscarriages of justice
 - d. Danger to health and safety
 - e. Damage to the environment
 - f. The deliberate concealing of information about any of the above
8. If the concern relates to one of the above grounds then you should raise the issue if you have a reasonable belief that the disclosure is in the public interest. A concern is of public interest if the matter goes beyond those which are of personal concern to you. You should reasonably believe that the allegation raised is substantially true.



Who can use this policy?

9. All employees of the Council may use this policy. This includes permanent and temporary employees. It also covers agency workers and employees seconded to and from a third party. Any concerns relating to the third party, if relevant to the employee's secondment, can also be raised under this policy. Contractors working for the Council may use this policy to make the Council aware of any concerns that they have with the Council. The private concerns of the contractor relating to non-council business should be raised with the relevant employer.

10. If you are an employee of a school please refer to your appropriate whistleblowing policy.

Who to contact?

11. If you have a concern you should report to the following people :

Chief Internal Auditor
Room 64
The Council House
Earl Street
Coventry
CV1 5RR
Tel: 02476 834035

The Council's Monitoring Officer
Council House
Earl Street
Coventry
CV1 5RR
Tel: 024 7683 1587

12. In addition, employees can make initial contact with their supervisor, line manager or head of service. The relevant person will then notify the Monitoring Officer that a concern has been raised.

13. Further advice and guidance can be obtained from Public Concern at Work (020 7404 6609). Public Concern at Work is an independent charity that operates a confidential helpline to provide free impartial advice for those who wish to express a concern. Further information and advice at www.pcaw.co.uk.

14. The Council encourages the use of this policy in order to raise whistleblowing concerns. It is anticipated that issues would be raised within the Council in the first instance to allow the Council to respond to any concern. However, if you feel that it is right to report the matter outside the Council, then there are prescribed contacts to whom disclosures can be made. Prescribed persons include: the Information Commissioner, the Environment Agency, Public Health England, Health and Safety Executive, etc. A full list of prescribed persons can



be found at: <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>.

15. If you report the matter outside the Council, you should ensure that you do not disclose confidential information. Disclosure to a person who is not a prescribed person or to someone who is not specified in this policy may constitute a breach of confidentiality and a breach of the employee Code of Conduct. Any breach of the Code of Conduct could lead to disciplinary action. Furthermore, disclosure to someone else will mean that the legal protection for whistle-blowers is lost.

How to raise a concern?

16. As much information as possible should be provided in order for your concern to be properly investigated. To allow any points to be clarified, you should provide details of how you can be contacted.
17. Appendix 1 to this document provides a standard reporting form which you can use. Appendix 1 can be used as a guide on the information that would be helpful to supply when reporting your concern. However, any reasonable method of communication is acceptable including verbal notification. When raising a concern you should state clearly that you are raising concerns under the Council's Whistleblowing Policy.
18. A concern can be raised anonymously. However, if the concern is raised anonymously then this will restrict the ability of the Council to provide feedback on how the concern has been investigated. It may also restrict the extent to which the matter can be investigated.

When should a concern be raised?

19. A concern should be reported if you have reasonable belief that wrongful activity is taking or has taken place. You do not need to obtain conclusive evidence of the wrongdoing but the disclosure should have a factual basis. The earlier you report a concern, the easier it is to take the appropriate action.

What happens to the concern raised?

20. If the person dealing with the concern deems it necessary to hold any meetings with you, you have the right to be accompanied by a trade union or other representative. The meeting can be arranged away from the normal place of work, if requested.
21. You will be listened to and your concern will be taken seriously. The action taken by the Council will depend on the nature of the concern. Any concern raised under this policy, will be acknowledged in writing within 7 days. This will: acknowledge that the concern has been received; summarise the details of the concern; and identify who is dealing with the matter. The person dealing with the matter will decide on the appropriate course of action.



22. The Council understands that individuals raising a concern need to be assured that the matter has been properly addressed and will notify them when the whistleblowing policy process has been completed. However, the information provided may be limited in accordance with other legislative provisions, such as the Data Protection Act 1998.

Protection for those raising concerns

23. If you raise a concern under this policy you are protected from suffering any detriment i.e. any disadvantage on the ground that you have made a protected disclosure. A disclosure will only qualify for protection if you have a reasonable belief that it is made in the public interest.
24. The protection provided to employees raising concerns cannot be given to third parties. The Council cannot guarantee protection to employees of third party organisations. However, we expect contractors to be aware of the legal obligations in relation to whistleblowing policy and to act in accordance with the requirements.
25. The Council does not tolerate discrimination, victimisation or harassment and will take action to protect you if you have raised a concern using this policy.

Confidentiality

26. Every effort will be made to ensure confidentiality is maintained as far as is reasonably practical. Individuals should be aware that actions taken as a result of their report may lead to their identity being revealed, either by inference or as a result of disciplinary or legal proceedings. If this should happen, the Council will not tolerate you being subjected to any detriment because you have made a protected disclosure.

Monitoring

27. Monitoring of the Whistleblowing Procedure will be undertaken by the Council's Audit and Procurement Committee in accordance with the Constitution.
28. The Monitoring Officer will maintain a record of all concerns brought to his/her attention and any action taken. All officers who investigate a concern should provide the Monitoring Officer with sufficient information to enable him/her to complete the record.
29. The Monitoring Officer will produce an annual report for the Audit and Procurement Committee which will comprise of a summary of the concerns raised and lessons learned with the aim of ensuring best practice across all services. The report will not disclose any names and will not undermine confidentiality or data protection.



Version control sheet needed



Public report
Cabinet Member

13 April 2017

Name of Cabinet Member:

Cabinet Member for Policy and Leadership – Cllr George Duggins

Director Approving Submission of the report:

Director of Finance and Corporate Services

Ward(s) affected:

All

Title: Information Management Strategy Update – Information Risk Policy

Is this a key decision?

No

Executive Summary:

The Council's Information Management Strategy was approved by Cabinet in March 2016. Information Management is becoming increasingly critical to the way the public sector does business as we integrate services, seek to gain better outcomes with fewer resources and digitalise the way services are delivered. Information is one of our greatest assets and its usage is a major responsibility. We are ambitious to be a Council that is trusted by its citizens and customers to manage and protect their information. The Information Management Strategy will ensure that we exploit information as a strategic asset, using recognised best practice, legislation and technology to minimise requests for information and maximise the opportunities for information intelligence to share future services and evaluate the effectiveness of existing ones.

One of the work streams within the strategy relates to information governance and data protection. In order to understand the level of maturity and assurance in relation to information governance across the organisation, the Council arranged for the Information Commissioner's Office (ICO) to conduct a data protection audit. Information Management specialists (In-Form Consult) were also engaged to conduct a Council wide maturity assessment. These exercises have helped formulate action plans for the Council to improve its information management arrangements.

Updates on these action plans were shared with Audit and Procurement Committee and the Cabinet Member for Policy & Leadership in July 2016; October 2016, and February 2017. The

most recent report highlighted that of the 77 recommendations proposed by the Information Commissioner's Office, 75 had been completed, with the remaining 2 requiring final approval. These final actions related to the creation of an Information Risk Policy and Information Risk Register. This report presents the draft Information Risk Policy for approval.

Recommendations:

The Cabinet Member for Policy & Leadership is recommended to:

1. Approve the Information Risk Policy
2. Make any additional recommendations that the Cabinet Member considers appropriate.

List of Appendices included:

Information Risk Policy

Other useful background papers:

Report to Audit & Procurement Committee on 20 Feb 2017

<http://democraticservices.coventry.gov.uk/documents/s32970/Information%20Management%20Strategy%20Update.pdf>

Glossary of terms

<http://democraticservices.coventry.gov.uk/documents/b34223/Information%20Management%20Strategy%20Update%20-%20Glossary%20of%20Terms%2024th-Oct-2016%2015.00%20Audit%20and%20Procurement.pdf?T=9>

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Information Strategy Update – Information Risk Policy

1. Context (or background)

- 1.1 The Council's Information Management Strategy was approved by Cabinet in March 2016. A key workstream of that strategy focuses on information governance and data protection. To understand the Council's maturity in relation to information governance, the Information Commissioner's Office (ICO) undertook an audit of data protection arrangements in October 2015
- 1.2 The ICO audit looked at a snapshot in time, and consulted with Senior Managers and Officers in Revenues and Benefits and Children's Social Care. The audit concluded that the Council has 'very limited assurance that processes and procedures are in place to deliver data protection compliance' and recommended a series of actions for the Council to implement to improve.
- 1.3 A number of progress reports in relation to those actions have been considered by the Audit and Procurement Committee and Cabinet Member for Policy & Leadership. The last report to Audit and Procurement Committee on 20th February 2017 gave an update on the 77 recommendations, and showed that 75 had been completed with the final two, relating to the draft Information Risk Policy, which required final approval. This report seeks to gain that approval of the policy.
- 1.4 The draft Information Risk Policy is consistent with the Council's approach to corporate risk. The Policy also sets out the statutory responsibilities of the Senior Information Risk Owner (SIRO), the Information Management Strategy Group (IMSG) and Information Asset Owners (IAOs) in respect of information risk management. A copy of the draft Information Risk Policy is attached at Appendix 1 to this report.

2. Options considered and recommended proposal

- 2.1 Following the recommendations from the ICO, the collation and implementation of an Information Risk Policy and Register were key requirements to ensure that information risks are identified and managed to ensure that any information breaches are avoided.
- 2.2 The draft Policy builds on earlier work undertaken as a result of the ICO's recommendations and forms part of a wider Information Governance Framework, which also includes the Information Asset Register (IAR)
- 2.3 The IAR was compiled with service managers across the entire organisation, and lists all the information (in the form of paper records, electronic documents and data) that is held by that service which is deemed to be of value, and/or carries a certain degree of risk whereby an event could impact on its confidentiality; its integrity or its availability. Each 'asset' has an Information Asset Owner (IAO) identified, and it is the role of the IAO to ensure that the register is maintained, and that any assets which carry a level of risk are treated to mitigate or minimise any risk. Where significant risks are identified, these are recorded on the Information Risk Register. The Senior Information Risk Owner supported by the Information Management Strategy Group will maintain oversight of the Information Risk Policy, Risk Register and the Information Asset Register.
- 2.4 Training has been prepared in the form of an e-learning course which will be mandatory for all IAOs, and this training includes the management of information risk. IAOs will also receive support in the process of updating the register via the Information Governance Team and the Records Manager. Guidance and templates have been prepared for inclusion in the online Information Governance Handbook which is available via Beacon.

3. Results of consultation undertaken

- 3.1 There is no requirement for the Council to consult on the implementation of the recommendations. However, the Audit and Procurement Committee monitors the effective development and operation of risk management. Therefore, on 20 March 2017, a seminar was held for members of the Audit and Procurement Committee to explain the Council's approach to corporate and information risk approach
- 3.2 This seminar was primarily focused on the principles of risk management and the assessment and treatment of risks. Specific examples relating to information risk were used as worked examples detailing the process that Information Asset owners would follow in identifying, assessing, treating and managing risks to which their information assets might be subject.

4. Timetable for implementing this decision

- 4.1 Once the Policy has been approved, it will be implemented immediately.
- 4.2 The IAOs will be invited to undertake the training by 30 June 2017
- 4.3 The process to collate information risks from the Information Asset Owners will be overseen by the Records Manager who has recently been recruited and is expected to be in post in April 2017.

5. Comments from Director of Finance and Corporate Services

- 5.1 **Financial implications.** This programme of work is being delivered from existing resources. The implementation of the Information Strategy acts as a key enabler to a number of key Council projects and will be aligned with the savings programme and budget report which underpin much of the work already planned to deliver existing targets in the Medium Term Financial Strategy. Implementing the recommendations from the ICO reduces the risk that the Council will receive a monetary penalty in the event of a breach of the Data Protection Act 1998.
- 5.2 **Legal implications.** The adoption of an over-arching information management strategy represents good governance. The draft Policy forms part of the wider Information Governance Framework, which helps to ensure that information is managed appropriately. The implementation of the actions identified promotes compliance with the Data Protection Act 1998 and will improve safeguards against data breaches.

6. Other implications

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

Improved use of data and information will contribute to the Council's overall aims and objectives in the Corporate Plan by underpinning key components of the Council's transformation and efficiency agenda.

6.2 How is risk being managed?

Risk will be managed through gaining a better understanding of the data assets the Council holds and their specific security and risk implications. The formation of the Information Asset Register has given greater visibility of those risks; identifying the asset owners and

enabling better management of risk. This policy will now enable those risks to be identified more formally.

6.3 What is the impact on the organisation?

Improved management of Information Risk will ensure that the likelihood of information breaches occurring will reduce. It will enable the council to learn from information risk incidents and adopt learning to ensure continuous improvement of the way that information is managed.

The Information Risk Policy is a key requirement of the Information Management Strategy, and will also help the council to manage opportunities as well as risk by informing the approach to open data, whereby information will be published and/or shared wherever possible and appropriate to improve the outcomes for local people.

6.4 Equalities / EIA

The approach set out in the Information Management Strategy does not have any specific impact on the Public Sector Equality Duty. However, management of personal and equality data is included within the scope of the strategy. As a result, the improved management of data will lead to improved understanding of the equality impact of future decisions.

6.5 Implications for (or impact on) the environment

There are no specific implications or impact on the environment.

6.6 Implications for partner organisations?

The Information Management Strategy applies to all data and information that the Council creates, owns, collects and holds in any format. The benefits derived from improved information management and the implementation of actions relating to data sharing will apply to partner organisations.

Report author(s):

Name and job title:

Joe Sansom (Transformation Programme Manager)

Directorate: People

Tel and email contact: ext x1982 joe.sansom@coventry.gov.uk

Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Names of approvers for submission: (officers and members)				
Lisa Commane	Director of Customer Services and Transformation	People	28/3/17	29/3/17
Barry Hastie	Director of Finance and Corporate Services	Place	28/3/17	29/3/17
Finance: Jane Murphy	Head of Transformation and Major Projects	People	28/3/17	29/3/17
Legal: Helen Lynch	Legal Services Manager	Place	28/3/17	29/3/17
Members: Councillor George Duggins			30/3/17	30/3/17

This report is published on the council's website:

www.coventry.gov.uk/councilmeetings

Appendices

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Information Risk Management Policy

Status/Version: 1.0

Information Classification: Unclassified

Effective: TBC

1 Introduction

This document is part of a set of information governance policies and procedures that supports the delivery of the Information Governance Management Framework (IGMF), it establishes the framework for a formal information risk management programme in the Council by establishing responsibility for information risk identification and analysis, planning for information risk mitigation and information risk management.

Information risk management is an essential element of broader information governance and is an integral part of good management practice. It is therefore the intention of the Council, that information risk management will be embedded throughout all business processes and functions, in the most practical manner possible, that is both 'scalable' and 'proportionate' in the way it is applied. This is aligned, centrally, with the Council's corporate risk management policy and procedures.

It is widely acknowledged that the aim of information risk management is not necessarily to eliminate risk altogether, but to reduce risk by providing a clear structural means to identify, prioritise and manage the risks associate with information. This policy supports these principles by ensuring that all information assets have a clear and appropriate, identified owner and that the risks are regularly assessed and managed.

The policy sets out how information risks will be managed by identifying roles and responsibilities for ensuring the protection of Council assets (including those owned by the Council and those entrusted to it) and by clear risk identification, review, escalation, and treatment processes. Non-compliance with this policy could have a significant effect on the efficient operation of the Council and may result in financial loss and an inability to provide necessary services to our customers.

This policy should be read in conjunction with the following:

- Information Governance / Data Protection Policy
- Information Security Policy
- Information Security Incident reporting process
- Information Sharing Policy

It also important that the Information Management Strategy is read in conjunction with this policy. If we are to deliver the Information Management Strategy Group's (IMSG) strategic objectives, then we need to approach this more seriously than we have previously.

2 Objective

The information risk management policy has the following objectives:

- To protect the Council, its employers, its partners and its service users from information risks where the likelihood of occurrence and the consequences are significant
- To provide assistance in safeguarding the Councils information assets, consequently providing the needed assurances that statutory and legal requirements relating to information are met.
- To provide an information risk management framework for all Council activities in which information risks will be clearly identified, prioritised accordingly, and considered and addressed through approval, review and control processes.
- To promote and uphold a pro-active approach to information risk management as opposed to reactive.
- To balance the costs of managing and treating information risks with the anticipated benefits that will be derived.

3 Scope

This policy, applies to all CCC information regardless of what format in which it may be held, regardless of wherever it may be held. All contracts for outsourced or shared services must reference the ongoing necessity of full adherence to this policy at all times. There are no exceptions.

4 Policy

This policy:-

- Will define the responsibilities of the IMSG, the Senior Information Risk Owner (SIRO) and the Information Asset Owners (IAOs).
- Demonstrates the commitment of the council towards having robust information assurance arrangements in place.
- Help to ensure that CCC management of information risk is in alignment with best practice recommendations.

5 Management Commitment

Considerable restructuring is taking place across the Council, many directorates are scheduled to move to Friargate in 2017 and it is of imperative importance, to the Council, and to the IMSG, that any restructuring or movement of staff or services, does not place any person identifiable data, sensitive services user or sensitive commercial information at risk of being compromised. As the Council pursues various methods of agile working, it will be an ongoing necessity to ensure we are fully embedding information risk management into all key controls and approval processes of all business related functions of the Council. This demonstrates the commitment of the IMSG and the senior management and the high level of importance given to minimising information risk and to offer assurance

that we always protect the interests and information, of the public we serve, our Staff members and the Council.

6 Key Documents

A) Information Asset Register (IAR)

The information asset register identifies each information asset held across all areas of the council. It also identifies the Information Asset Owner (IAO), security classification and the importance of the asset. If an information asset recorded in the register is considered to be potentially at risk, the register will detail the information risk status. The IAR is fundamental to the success of information risk management, across the council, and helps to form the basis of the risk assessment work. All IAOs will review the IAR, periodically dependent of information assets held. Typically, this would be in April, July, October, and January unless otherwise agreed with the Senior Information Risk Owner (SIRO).

B) Information Risk Register (IRR)

The information risk register will be a comprehensive record of all identified information risks for the council. It will detail the assessed risk, mitigating action/s, any apparent residual risks, and any outstanding actions for completion. The IAO, accountable for each information asset, will acquire the responsibility, to identify and report the risk and follow through to resolution or acceptance. All IAOs will be expected to submit a quarterly assurance to the SIRO to offer confirmation that all information assets are being appropriately managed and that any information risks have been added to the accordingly to the IRR. The template for quarterly completion by IAOs can be located within the IRR

7 Key Supporting Roles / Responsibilities

Responsibilities

a) Information Management Strategy Group (IMSG)

- Ensures there are adequate information risk management policies and procedures, effectively working and in place for the Council.
- Advising Chief Executive and Senior Management Boards, on information risk management progress as requested.

b) Senior Information Asset Owner (SIRO)

The SIRO is responsible for:-

- Coordinating the development and maintenance of information risk management policies and procedures for the Council via the IMSG.
- Advising Chief Executive and Senior Management Boards, on information risk management strategies and provide periodic reports and briefings on progress.
- Being the owner of the Information Risk Policy, the Risk Assessment procedures and the Information Risk Register.
- Ensuring that there is a mechanism to ensure that an information risk, assessment, and a privacy impact assessment where appropriate, for all new or changed service activities, new deployments of ICT, new contracts and partnership arrangements.
- Ensuring that annual information asset statements from Information Asset Owners are in effect received for all information assets held. To promote and drive best practice in relation to information risk management.
- Monitoring compliance with this Policy including ensuring that there is an Information Security Incident Policy, electronic reporting system and supporting procedures.
- Seek support where required from Internal and External Audit to assess the effectiveness of Information Risk Management

c) Records Manager (RM)

The RM is responsible for:

- Providing Support to the SIRO in undertaking the duties listed above. And ensuring that the SIROs vision and expectations are relayed to all other roles with responsibility for Information Risk.
- Maintaining and controlling the Information Asset Register and Risk Register. Ensuring that both documents are updated regularly and feeding back any areas of non-compliance to the IMSG.
- Supporting Information Asset Owners (IAOs) and Information Asset Administrators (IAAs) in fulfilling their duties in line with this Policy. Offering advice on potential risk treatment and completion of the supporting documentation.
- Help IAOs to identify and apply correct retention periods applicable for records upon request.
- Monitoring compliance with this Policy including ensuring that there is an Information Security Incident Policy, electronic reporting system and supporting procedures.

d) Information Asset Owners (IAOs)

Information Asset Owners are responsible for:

- Ensuring that information risk assessments are performed or reviewed at least once each

quarter on all information assets where they have been assigned ownership and in accordance with the Information Risk Assessment procedures.

- Submitting the risk assessment results and associated mitigation plans to the RM for review.
- Ensuring that for each asset held (considered to be at risk), they will be expected to identify and report the risk via the IRR and IAR and follow through to full resolution or acceptance of that risk by the IMMSG / and the Records Manager.

The IAO is accountable to the SIRO and should ensure at all times that arrangements are in place for the completion and thorough maintenance of the IAR, for all assets and to ensure accuracy of the information held at all times. IAOs can identify supporting Information Asset Administrators (IAAs) within their given areas of control, to help manage the workload. Accountability still sits directly with the IAO, regardless of any internal arrangements made.

It is therefore an essential requirement that all IAOs remain actively involved on a day to day basis for managing information assets across their given areas of control.

The IAO is also expected to ensure that:-

- All Information Security Incidents are recorded within 'myservicedesk' and that Team meetings will have information security incidents, discussed as an ongoing, standing agenda item, moving forwards;
- Where there is a proposed change in *how we are going to work*, that can consequently intrude on the privacy rights of individuals, (Staff or public) – a privacy impact assessment (PIA) screening and assessment, is effectively carried out by working closely with the IG Team to capture and record both the concerns and the solutions needed to protect individuals privacy rights.
- That data/information sharing agreements are effectively in place to govern flows of important information and to ensure that agreements stipulate data sharing that can legitimately taking place, where health and social care information may be held, we must carefully consider the seven caldicott principles prior to sharing.

8 Communication of the Policy

This policy will be communicated, to all staff across the Council via the network of supporting IAOs and IAAs. The policy will be stored within the Information Governance Handbook alongside all other key documentation relating to Information Governance matters. IAOs and IAAs are to ensure that all staff follow this policy at all times.

9. Review

This policy will be subject to annual review by the IMMSG.

**Document Control:
Version History**

Version	Status	Date	Author	Summary of Changes
0.2	TBC	16/12/2016	CR Sadler	NEW POLICY
0.3	TBC	26/01/2016	CR Sadler	Include detailed responsibilities of RM / Agile Working / amend Introduction
0.4	TBC	27/01/2017	CR Sadler	Further edits following consultation
1.0	Approved	07/03/2017	CR Sadler	Further edits <i>Section 7</i> key roles and responsibilities (clarity received around information security incident management). <i>Section 8</i> communication of the policy delegated to supporting network of IAOs and IAAs

Reviewers

Name	Role	Business Area

Management Approval

Name	Date	Version No.
Lisa Commane	27 th January 2017	1.0

Political Approval

Name	Date	Version No.

Distribution

Name	Organisational Department	Format
All	Coventry City Council	Word Document via Intranet