# Corporate Information Policy

**Approved by Committee on
20 September 2017 with an implementation date of 20 September 2017**

ABERDEEN
CITY COUNCIL

# Document Control

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| **Policy Author(s) and Owner** | Helen Cannings, Data Protection Officer<br>Martin Murchie, Chief Officer – Data and Insi |
| **Approval Authority** | Audit Risk & Scrutiny Committee |
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| **Changes** | |
| September 2017 | New Policy which replaces the following corporate policies: Freedom of Information; Records Retention & Disposal Schedule; Information Security; Information Lifecycle Management; Information Asset Register; Business Classification Scheme; Data Protection. |
| March 2019 | Minor amendments to reflect organisational change and revised supporting procedures.<br>Approved by the Chief Officer Governance under Powers Delegated to Officers |
| July 2020 | Minor amendments to adjust existing policy with new corporate policy template and to purpose statement to include explicit reference to the risk to the Council.<br>Approved by the Chief Officer Governance under Powers Delegated to Officers. |

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# 1. Purpose Statement

1.1 This Policy sets out the Council's policy on the use and governance of our information and data.

1.2 The Council's use and governance of our information and data is increasingly subject to legislation, Government guidelines, scrutiny and audit. This Policy sets out the Council's position in relation to compliance with relevant Data Protection, Freedom of Information, Environmental Information, Re-use of Public Sector Information and Public Records law.

1.3 This policy is a key control in managing the potential risks to our customers and employees from our handling of their personal data. It also seeks to mitigate risks to the Council from non-compliance with the key information legislation requirements set out above and a range of other relevant statutory requirements.

# 2. Application and Scope Statement

2.1 This Policy applies to:
- all staff, agency staff and volunteers of the Council
- elected members, contractors and sub-contractors of the Council when involved in processing, or making decisions about the processing of, Council information and data
- any other person who in any way processes, or makes decisions about the processing of, Council information and data.

2.2 Processing includes but is not limited to the following activities, whether or not they are conducted by automated means: collection, recording, creation, organisation, structuring, storing, adapting, altering, retrieving, consulting, using, disclosing by transmission, dissemination or otherwise making available, alignment or combining, restriction, erasure or destruction.

# 3. Responsibilities

3.1 This Policy is owned by the Chief Officer for Data and Insights. Overall governance and strategic responsibilities for this policy are assigned to the Council's Senior Information Risk Owner (SIRO). All activity relating to this policy is monitored, actioned and reported to the SIRO through the Information Governance Group. The Council's approach to ensuring the effective and appropriate use and governance of our information and data is focused on three key areas:

- **People and Behaviour**
Everyone who creates or uses Council information or data shares responsibility for making sure we do it right.

That said, getting the proper use and governance of our information right means we need to make sure that the Council has the right expertise, leadership, accountability and ownership for the management of its information, so that everyone is clear on what their role is, how they do it, and where they can go for help and support.

- **Systems and Processes**

Making sure that everyone covered by this policy can carry out their roles effectively on behalf of the Council means having the right systems and processes in place; this includes standards, procedures, handbooks and guidance, training and awareness activities, underpinned by a culture throughout the Council that values our information.

- **Adapting and Learning**

Ensuring the proper use and governance of the Council's information and data is an ongoing activity. New and changing legislation, systems, staff, and ways of doing business, as well as new and emerging cyber threats, all shape and change the environment within which the Council operates in relation to effective use and governance of its information and data.

3.2 Keeping up means a careful balancing between the requirement to monitor and be adaptable to our changing environment, and the requirement to agree and implement improvements over the medium term, in line with the Council's Data and Information Strategy, and associated Information Assurance Improvement Plan. This balance will be managed through the following roles and responsibilities:

**Everyone**

Everyone covered by this policy is responsible and accountable for managing and using information in accordance with all relevant corporate policy, and corporate and local procedures. This includes but is not limited to the procedures on the right.

More broadly, everyone covered by this policy is responsible for taking appropriate care of the information and data they create, use, update and communicate in the course of their work.

Any deliberate or willful breach of this policy may lead to disciplinary or other appropriate action being taken and may be reported to the police.

**Corporate Information Handbook**
The Corporate Information Handbook sets out the Council's procedures in relation to the creation, organisation, communication, protection and disposal of information and data, including the Council's business classification scheme and records retention and disposal schedule. Everyone is responsible for following these procedures, in conjunction with any other corporate, team or service level procedures in relation to the proper use and governance of information and data. The Handbook includes a full range of Corporate Data Protection Procedures which cover all aspects of ensuring the Council's use and governance of personal data is ethical, fair, transparent and lawful. Everyone is responsible for ensuring that these are followed.

**Freedom of Information and Environmental Information Procedures**
The Council has Corporate Procedures in place which set out how it manages compliance with the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004. Everyone is responsible for ensuring that these procedures are followed.

**Information Asset Owners**

Information Asset Owners are senior business managers who are responsible and accountable for the specific, defined information assets within their remit, in accordance with the Council's Information Asset Owner Handbook.

Information Asset Owners are responsible for ensuring all staff understand and act in accordance with their responsibilities outlined in this policy.

Information Asset Owners are responsible for maintaining the Information Asset Register in relation to their asset(s) and providing regular assurance through the Information Governance Group to the Senior Information Risk Owner about the management of their asset(s).

**Information Asset Owner Handbook**
The Council's Information Asset Owner Handbook, and supporting guidance, sets out the role of the Information Asset Owner and how this is carried out. All Information Asset Owners are responsible for carrying out their role in accordance with this Handbook.

**Information Asset Register**
The Council maintains an Information Asset Register to record all information of value held by the Council, which provides the basis for ensuring that the arrangements in place to secure and protect the information assets are effective and proportionate in relation to the value and risks around each asset. Information Asset Owners are responsible for maintaining entries in the Register.

**Information Asset Assurance Statements**
Information Asset Owners provide the Senior Information Risk Owner with regular Information Asset Assurance in relation to the ongoing management of their information assets.

**Information & Data Governance Office**
This Office is the central corporate office which is responsible for setting, owning and driving data and information strategy, policy, standards and practice across the organisation.

The Information & Data Governance Office holds the corporate Information Asset Register on behalf of the SIRO. The Data Office is led by the Council's Information and Data Manager.

**Strategy, Policy and Standards**
The Data Office is responsible for setting, owning and driving data and information strategy, policy, standards and practice across the organisation.

**Records Management Plan**
The Data Office will maintain the Council's Records Management Plan which sets out its proper arrangements for records management across the organisation in accordance with the Public Records (Scotland) Act 2011. This plan is monitored through the Information Governance Group and formal updates are submitted to the Keeper of the Records of Scotland on an annual basis.

**Standards and Ethical Practice**
Management of data standards and ethics is the responsibility of the Council's Information and Data Office using a Data Forum model which has been established to drive development and improvement of the Council's data capabilities and governance arrangements:

- Finance and Procurement
- Children and Young Person
- Property Assets
- Employee
- Governance
- Customer

The Data Forums provide the Information and Data Office and the Information Governance Group with the assurance that effective control mechanisms are in place within the organisation to manage and mitigate the Council's corporate information risks.

**Information Governance Group**
The Information Governance Group's purpose is to:

- drive the corporate, information-governance agenda;
- set standards;
- monitor compliance; and
- maintain ethical practice.

It will hold
to account the organisational roles and responsibilities that provide the CMT with the assurance that effective control mechanisms are in place within the organisation to manage and mitigate the Council's information risks.

**Monitoring and Compliance**
The Council's Data Forums align to and incorporate relevant components of the Council's Information Governance Frameworks to ensure that the Council's legal and business requirements are met and assessed to ensure their alignment to the Council's wider vision, values and purpose.

**Data Protection Officer**
The Council's Data Protection Officer (DPO) is responsible for monitoring the Council's compliance with Data Protection law and acting as the point of contact for the public and the Information Commissioner's Office.

**Data Protection Impact Assessments**
The DPO provides support on the completion of Data Protection Impact Assessments, as well as providing expert advice on Data Protection issues more broadly.

**Data Protection Compliance Monitoring**
The Council's DPO is responsible for monitoring compliance with data protection legislation across the organisation.

**Data Protection Culture**
The Council's DPO is responsible for fostering a data protection culture throughout the Council.

**Data Protection Point of Contact**
The Data Protection Officer is the first point of contact for members of the public and for the Information Commissioner's Office on all matters relating to personal data.

**Senior Information Risk Owner**
The Senior Information Risk Owner (SIRO) is accountable to the Council's Chief Executive Officer for the management of the information risks across the Council.

This role chairs the Information Governance Group. The Council's SIRO is the Chief Officer - Governance.

**Information Risk**
The SIRO has overall responsibility for monitoring the Council's information risk and provides assurance to the Council's Chief Executive Officer.

**Information Culture**
The SIRO leads a culture throughout the Council that values, protects and uses information for the success of the Council and benefit of its customers.

**Information Asset Ownership**
The SIRO has overall responsibility for ensuring the Council's Information Asset Owners are carrying out their roles effectively and are consistently implementing information risk processes.

**Information Incident Management**
The SIRO owns the Council's information incident management framework.

# 4. Supporting Procedures & Documentation

**4.1 Strategy & Policy**
- Local Outcome Improvement Plan
- Strategic Business Plan
- Data and Information Strategy
- Being Digital Transformation Strategy
- ICT Acceptable Use Policy
- Protective Monitoring Policy
- ICT Access Control Policy
- Employee Code of Conduct (for Employees only)
- Councillors Code of Conduct (for Elected Members only)

**4.2 Procedures & Protocols**
- Corporate Information Handbook
- Corporate Records Retention & Disposal Schedule
- Freedom of Information & Environmental Information Procedures
- Information Asset Owner Handbook
- Information Security Incident Reporting Procedure
- Insider Information Protocol

**4.3 Related Legislation**
- General Data Protection Regulation
- Data Protection Act 2018
- Freedom of Information (Scotland) Act 2002
- Environmental Information (Scotland) Regulations 2004
- Public Records (Scotland) Act 2011
- Re-use of Public Sector Information Regulations 2015
- Market Abuse Regulation (concerning Insider Information)

# 5. Policy Statement

5.1 The Council values its information and data, and recognises the crucial role that the proper use and governance of our information and data plays in:

- delivering outcomes for our people, place and economy
- respecting privacy and fostering trust
- demonstrating accountability through openness
- enabling and supporting our staff
- building Aberdeen's memory

These form the Council's guiding principles in relation to its information and data.

5.2 Because the Council serves the people and place of Aberdeen in such a diverse range of ways, the range and volume of information and data we create, receive and use to do this is huge.

5.3 The Council's information is defined as all information and data created, received, maintained or used by or on behalf of the Council, in any format and of any age. This includes, but is not limited to: paper records, email, spreadsheets, data in business systems, audio and video recordings, web pages, and CCTV recordings. Under each of our guiding principles, the Council is committed to the following policy statements in relation to its information and data:

**5.4 Delivering outcomes for our people, place and economy**

**The Council is committed to improving the management of our information and data so it is aligned to our strategic objectives for our people, place and economy.**

Our information and data supports our business. More than that, the way we use and govern our information and data can either enable or hinder us doing business in the best way to deliver for our people, place and economy.

**The Council is committed to ensuring that effective and proportionate security, business continuity and disaster recovery arrangements are in place to protect and safeguard our information and data.**

The Council recognises that appropriate security, business continuity and disaster recovery arrangements are essential to ensure the consistent availability, integrity and confidentiality of its information and data, which we rely on to deliver for our people, place and economy.

**The Council is committed to the ethical use of its information and data for robust, transparent and evidence-based decision making.**

The Council understands that the way we use, analyse, interpret and present our information and data is crucial to ensure we make robust, transparent, evidence-based decisions.

**The Council is committed to realising the potential value of its information and data beyond the Council, by opening up our information and data, and making it available free of charge, wherever we can.**

The Council recognises that the information and data it holds, due to its unique role in the lives of the people and place of Aberdeen, has a potential value which extends beyond the Council, to our local and national communities.

**5.5 Respecting privacy and fostering trust**

**The Council is committed to the ethical, fair, lawful and transparent care of the personal information we process to carry out our business, in accordance with applicable data protection law.**

A great deal of the information and data we hold is about the people we serve. Being the custodian of this type of information about people's lives is a huge responsibility, which the Council takes very seriously.

## 5.6 Demonstrating accountability through openness

**The Council is committed to complying with the requirements of the Public Records (Scotland) Act 2011, Data Protection law and any other legislation which governs the way we create, use or dispose of our information and data.**

The Council is committed to creating the right information and data so we can be held accountable for the decisions we've made, actions we've taken, and processes we've followed, and managing this information and data in the right way throughout its lifecycle, including keeping it for the right amount of time.

**The Council is committed to complying with the requirements of the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004.**

The Council recognises the important role that the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004 play in supporting accountability through openness and transparency.

## 5.7 Enabling and supporting our staff

**The Council is committed to providing staff with appropriate procedures, guidance, training and awareness activities to support them to play their part, effectively and accountably, in the proper use and governance of the Council's information and data.**

The Council recognises the central role our staff play in the proper use and governance of our information and data.

## 5.8 Building Aberdeen's Memory

**The Council is committed to the ongoing appropriate permanent preservation of information and data which will continue to build the memory of the people and place of Aberdeen for future generations.**

The Council recognises that our information and data are the building blocks of the Council's corporate memory, and of the memory of the people and place of Aberdeen.

# 6. Risk

6.1 The risks to the Council from a failure to appropriately manage the lifecycle of its information are outlined in the Council's Information Governance Risk Register, which is overseen through the Information Governance Group and the Council's Extended Corporate Management Team. The Council's Information Governance Risk Register is used as the basis for the Council's Information Assurance Improvement Plan, to ensure that the measures and actions identified and completed appropriately control and mitigate the Council's information risks.

6.2 Information Asset Owners are responsible for managing risk to the information assets that they are responsible for, these risks are managed through Cluster Risk Registers and included in Business Continuity planning and disaster recovery arrangements wherever appropriate. Detail how the risks identified will be monitored, managed and mitigated.

6.3 Information governance and cyber security also pose a strategic risk for the Council which is recorded in the Corporate Risk Register. The Risk Register provides the Councilwith assurance on the strength of controls in place against this risk.

# 7. Policy Performance

7.1 All activity relating to this policy will be monitored by the Information Governance Group and reported by the Senior Information Risk Owner to the Corporate Management Team on a quarterly basis, and annually to the Audit, Risk & Scrutiny Committee through an annual Information Governance Report.

7.2 The key reporting measures include:

**Data Protection**
- Data Protection Rights Requests
- Data Protection Breaches, Near Misses and Complaints
- Information Security Incidents

**FOI and Environmental Information**
- Requests
- Internal Reviews
- Appeals

**Historical Archive**
- City Archive Accessions
- City Archive Enquiries

**Information Security**
- Cyber Incidents
- Physical Incidents

## 8. Design and Delivery

8.1 Information and data are key assets of the Council. Realising the value of our information and data to evolve as an organisation means we need a strong, consistent, integrated and corporate approach to the use and governance of our information and data, so that we have clear assurance around our information assets, and we have information and data which is fit to enable both our day to day business, and our transformation.

8.2 Good quality information and data is the cornerstone of us being open and transparent, because it allows us to explain and justify the decisions that we have made, evidence the processes we have followed, and comply with our legal and statutory responsibilities.

8.3 Because of who we are, a great deal of our information is about the people we serve. Being the custodian of this type of information about people's lives is a huge responsibility, so making sure we properly steward our people's information is critical to maintaining the trust we need to deliver outcomes for our people, place and economy.

8.4 If we fail to manage our information and data properly, we may not have the right information and data in the right place, at the right time to deliver services for our customers. For critical services, this can have serious consequences. If we don't manage our information and data properly, our customers may lose confidence in us, our reputation may suffer, and we won't have the trust we need to engage meaningfully within the wider community to shape Aberdeen's future.

8.5 The adoption of an Information Policy means that we are taking a consistent approach across the Council to the use and governance of all of our information and data, in order to deliver outcomes for our people, place and economy.

## 9. Housekeeping and Maintenance

9.1 This policy will be reviewed on an annual basis and updated regularly to ensure they are fit for purpose and reflect current best practice.

## 10. Communication and Distribution

10.1 The Corporate Information Policy will be shared and cascaded to all staff to alert them of any specific changes and to remind them of their role and responsibilities with regards to the Council's information. A copy of the Policy will be available on the intranet along with the appropriate guidance and procedures to support staff within their specific role. A copy will also be available on the Council's website for our customers and any stakeholders.

# 11. Information Management

11.1 Data and information will be managed in line with this policy and the supporting procedures.