

**Information Governance Management System
Performance and Assurance Report Quarter 4 – 2020/2021**

Compliance

	Freedom of Information	DPA (Subject Access)	Data Breaches	Mandatory Training
This quarter				
Prev. quarter				

(For explanation of colour coding please refer to the subject specific pages)

Key risk indicators (KRI)

	Freedom of Information	DPA (Subject Access)	Data Breaches	Mandatory Training	IGWG	TBC	TBC
KRI1							
KRI2							
KRI3							

Code	KRI - Normal	KRI - Triggered

Headlines

This paper reports on Information Governance performance over the period – Quarter 4 2020-21.

Key Risk Indicators have been triggered for Mandatory Training. 2 Directorates have been below 85% compliance for 2 reporting periods and Corporate have been out of compliance for more than 3 consecutive quarters. In an effort to improve compliance rates, the issue of compliance within the Corporate Directorate was discussed at the Business Executive Meeting in May and the decision was made that the organisational target of 95% should be suspended during the current period and the 85% target set by Welsh Government should be adopted across the organisation instead.

As of the 9th July organisational compliance was at 86%, and of the two Directorates that were below the WG target, Operations and Finance are now at 90% whereas Corporate (allowing for maternity leave and secondments) remain below target at 75%.

There was a small reduction in data breaches reported in Q4 and there were no reportable data breaches to the ICO. This has resulted in return to green with the 3 key risk indicators.

Freedom of Information requests continue to increase with 136 requests received in Q4 up from 129 in Q3 and 69 in Q2. The organisation is out of compliance with 35 not meeting the target times for response. Key risk indicators have been triggered with an increase in requests for three consecutive quarters and Requests remain above 50 for three consecutive quarters. Improvement measures have been put in place by the Risk and Information Governance Team whereby all requests are now required to confirm that they have taken reasonable steps to find the information they seek themselves. This has resulted in 10 requests requiring no action after clarification was sought, and a further 9 requests being actioned informally by the Information Governance managers.

There were 10 Subject Access Requests received in Q4 and were responded to within 1 calendar month. A key risk indicator has been triggered due to an increase in requests for three consecutive quarters.

Contents

Subject	Page no
Freedom of Information	3
Data Protection (Subject Access) Requests	5
Data Breaches	7
Mandatory Information Governance Training	9
Information Governance Working Group	11
Assurance Report	12

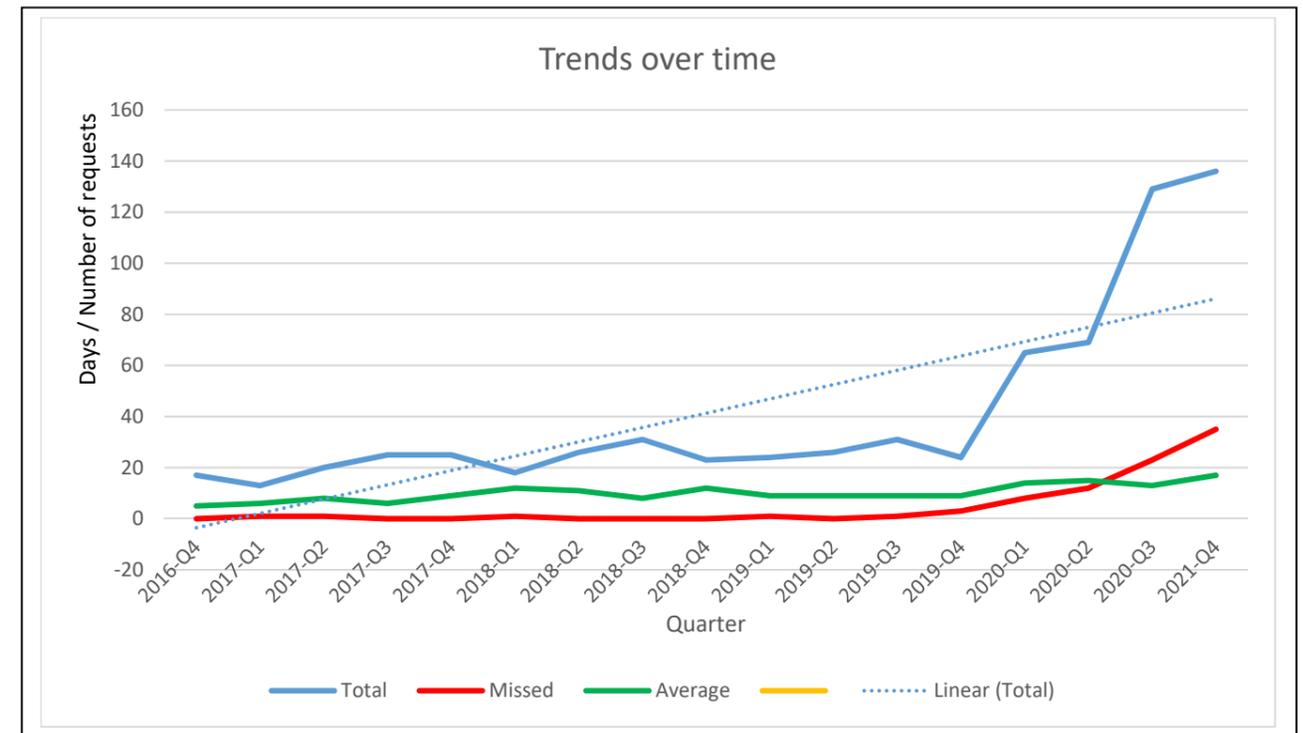
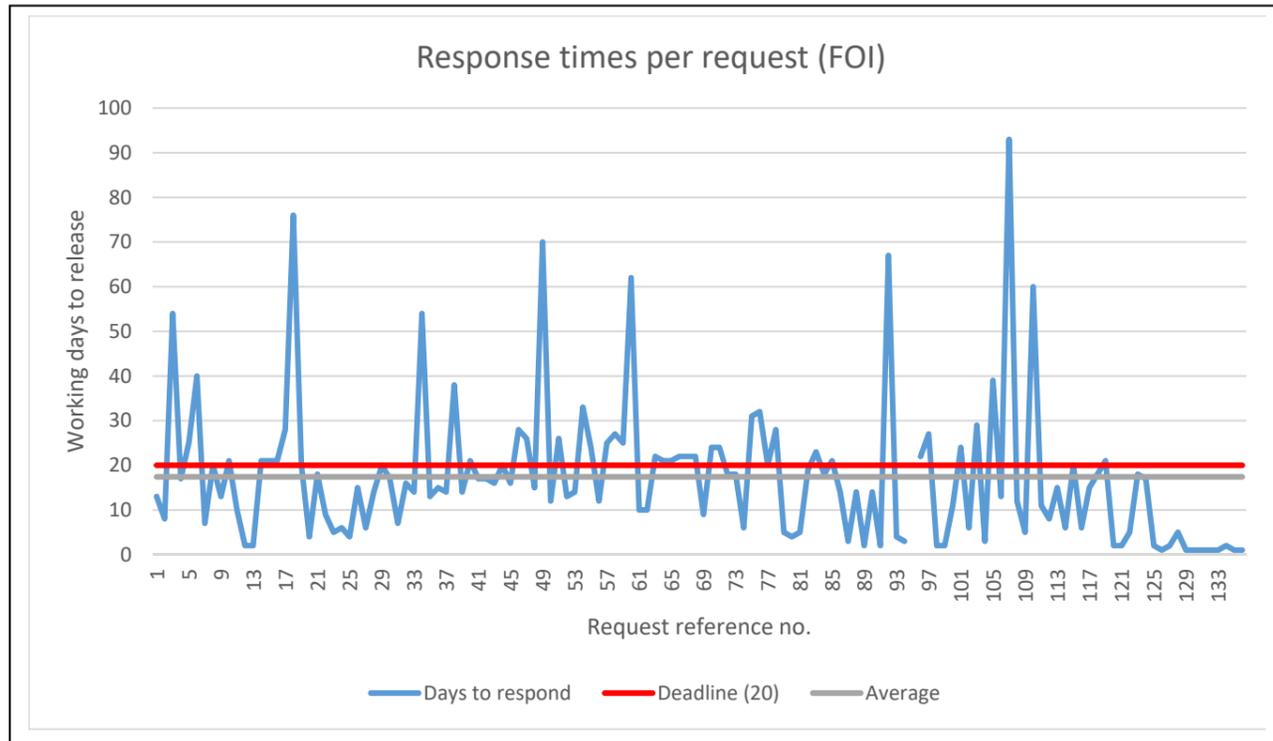
Glossary

DPA	Data Protection Act 2018	KRI	Key Risk Indicator		
DPO	Data Protection Officer	RIGM	Risk and Information Governance Manager		
FOIA	Freedom of Information Act 2000	SAR	Subject Access Request		
GDPR	General Data Protection Regulation 2016	SIRO	Senior Information Risk Officer		
ICO	Information Commissioner's Office				
IGWG	Information Governance Working Group				
KPI	Key Performance Indicator				

Freedom of Information Requests

Compliance Status

	2 or more legislative non-compliances	X
	Single legislative non-compliance	
	Fully compliant	



Narrative

The increase since the end of March 2020 in requests received continues. These are mainly connected with requests for Covid-19 information and have continued to rise over the last year.

The average time to respond to requests was 17 days, this is now over the KRI threshold of 15 days. 35 responses during Q4 went over the 20 day period, these requests were all related to Covid-19 and more complex information was requested and the volume to send to the department for a response. It is almost certain that despite the best endeavours of the Information Governance team non-compliances are now occurring on a regular basis.

Three exemptions were engaged under section 22 – information held with a view for future publication. This exemption required a public interest test to be carried out on each request and whilst there is clearly a significant amount of public interest in the information requested, there is also significant public interest in delivering an effective Public Health service at the present time. Developing the information to make it suitable for publication at this time would incur diverting resources from the critical day to day work of managing the pandemic thereby degrading the other services that Public Health Wales is required to deliver as part of the response to the emergency.

One refusal was made under section 14[1] Vexatious request. An assessment was made of the request and the work involved in preparing the information for release to ensure that no personal data would be released would have a disproportionate and unjustified level of disruption to the organisation.

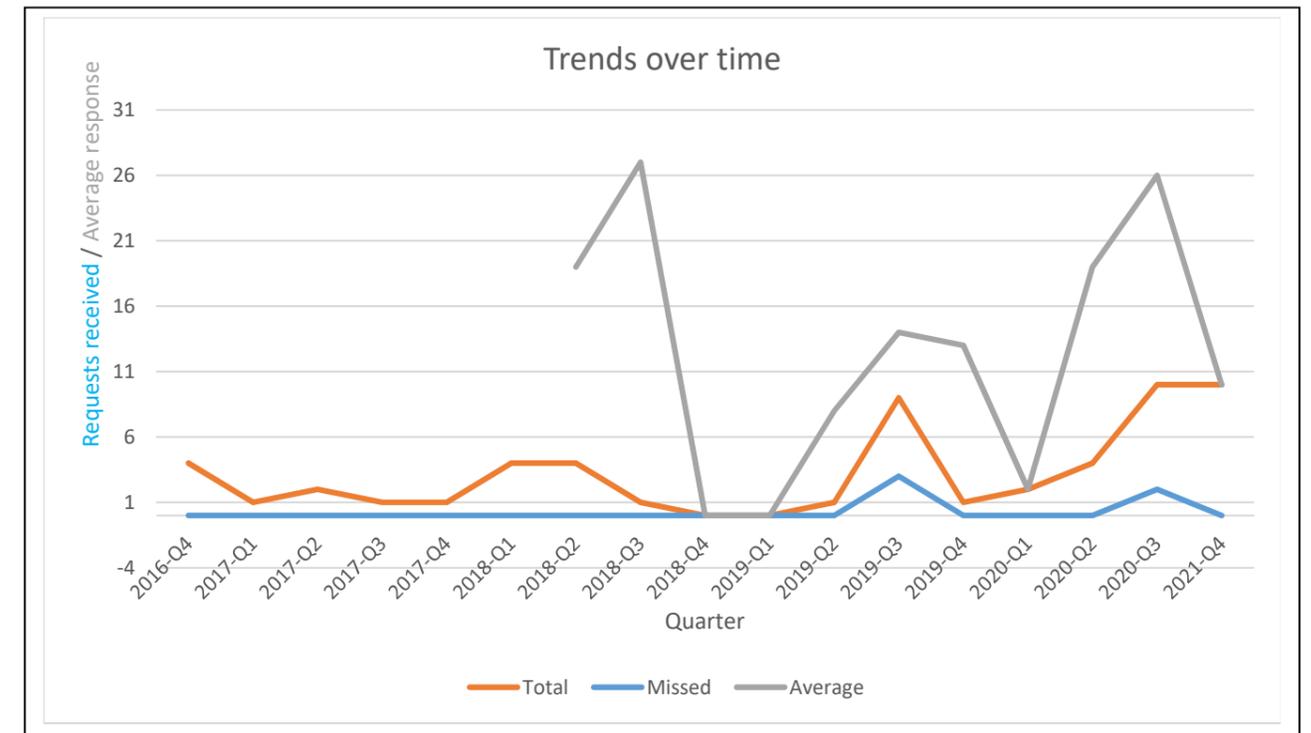
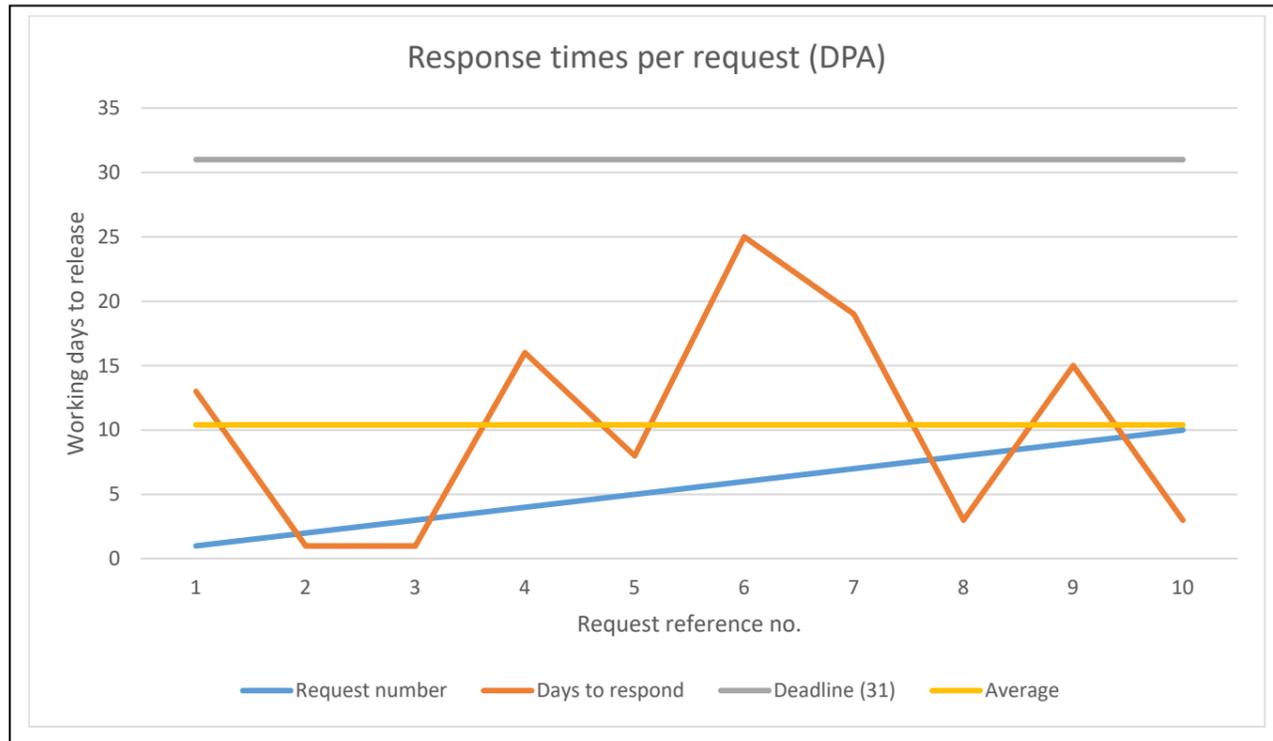
Performance Indicator		No	Target	Remarks
Total Requests Received		136	N/A	6 requests have been received and sent out to the organisation and the IG Team are awaiting receipt the information for release. Therefore these requests have not yet been responded to.
Full Release		69	N/A	
Partial release with exemptions		1	N/A	1 section 22
Release declined – Exemptions engaged		3	N/A	1 Vexatious, 2 section 22.
Release declined – Information not held		63	N/A	
Deadline not met*		35	0%	
Key Risk Indicators				Status
KRI1	Average time to release information >15 days for three consecutive quarters			
KRI2	Increase in requests for three consecutive quarters			
KRI3	Requests remain above 50 for three consecutive quarters			

*indicates legislative non-compliance

Data Protection (Subject Access) Requests

Compliance Status

	2 or more legislative non-compliances	
	Single legislative non-compliance	
	Fully compliant	X



Narrative

10 Subject Access Requests were received during the reporting period. The requests were for screening records, personal data and police requests. All requests were dealt within one calendar month.

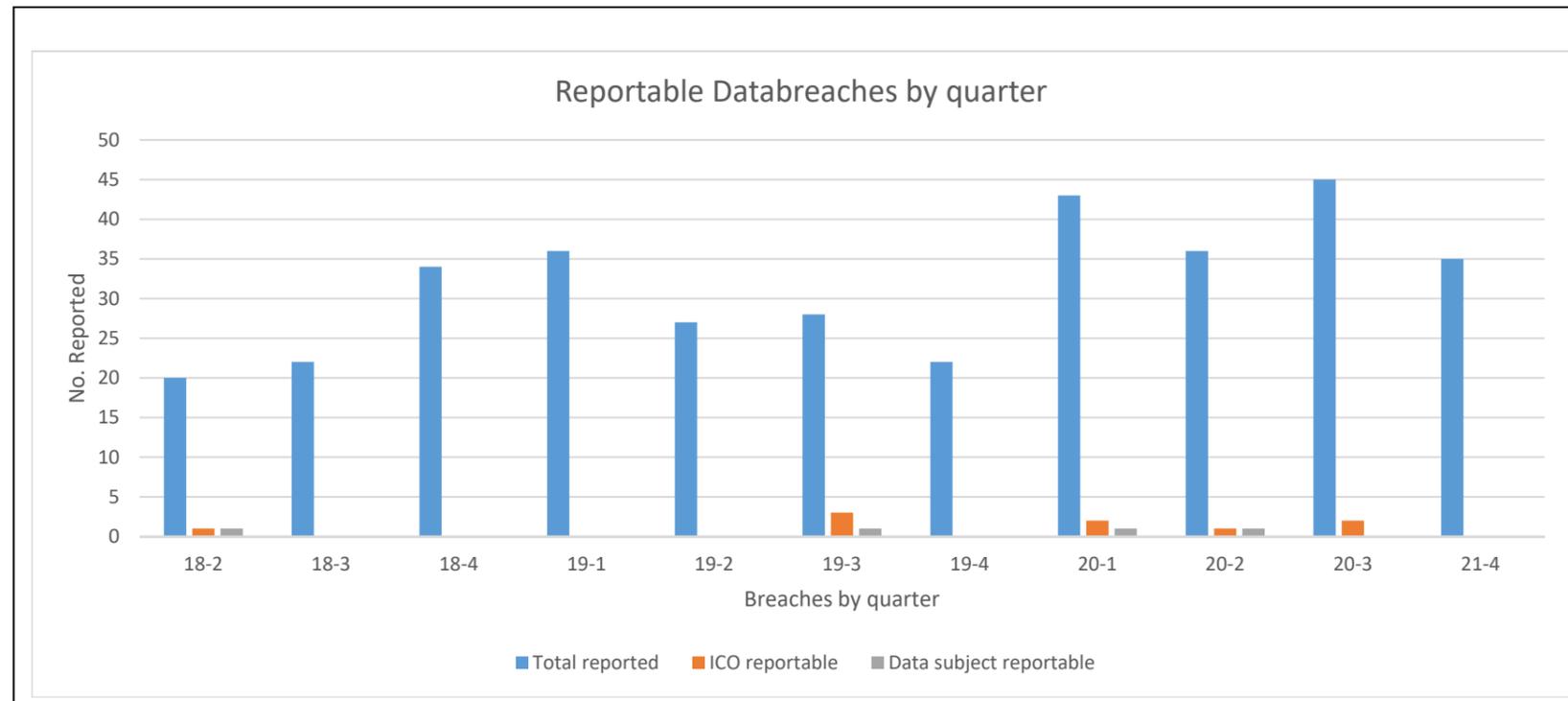
Performance Indicator		No	Target	Remarks
Total Requests Received		10	N/A	
Full Release		10	N/A	
Release declined – Exemptions engaged		0	N/A	
Deadline not met*		0	0%	
Key Risk Indicators				Status
KRI1	Average time to release information >25 days for three consecutive quarters			
KRI2	Increase in requests for three consecutive quarters			
KRI3	Requests remain above 10 for three consecutive quarters			

*indicates legislative non-compliance

Reported Data Breaches

Compliance Status

	2 or more legislative non-compliances	
	Single legislative non-compliance	
	Fully compliant	X



Narrative

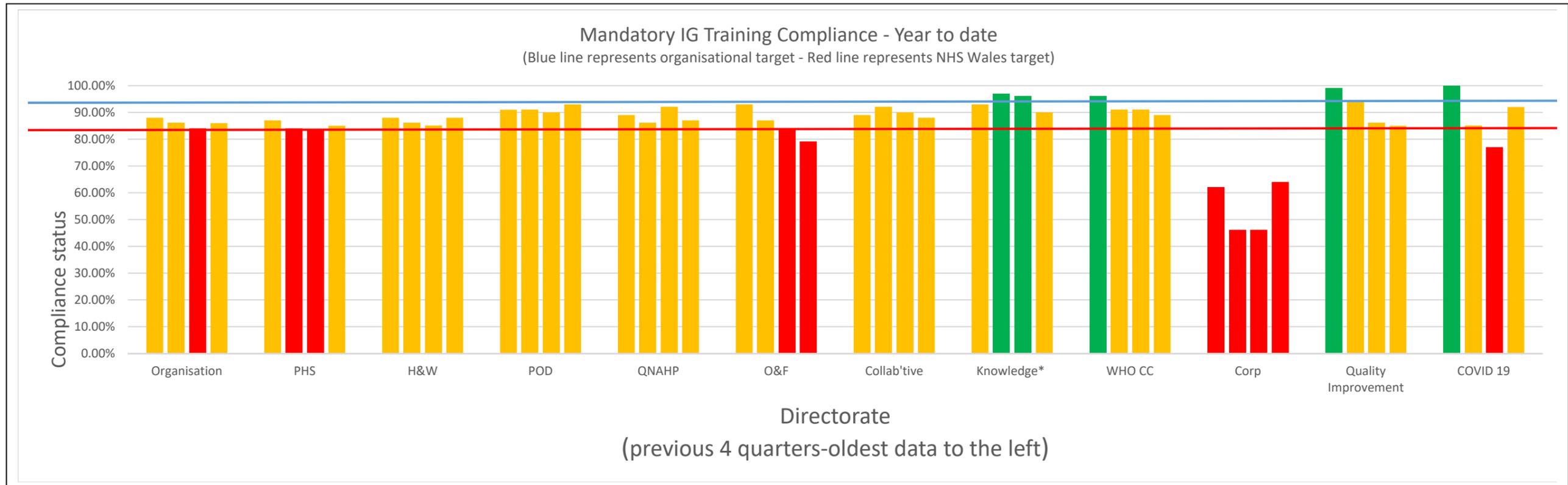
There were no ICO reportable data breaches during the reporting period.

Performance Indicator		No	Target	Remarks
Total no. of data breaches reported*		35		
Data breaches reported internally after > 48hours*		0		
Data breaches reported to ICO <72hours		0		
Data breaches reported to ICO >72hours*		0		
Data breaches reported to Data Subject		0		
Key Risk Indicators				Status
KRI1	Increase in reported data breaches for three consecutive quarters			
KRI2	Increase in data breaches reported >48hrs for three consecutive quarters			
KRI3	Data breaches reported to the ICO for three consecutive quarters			

*indicates legislative non-compliance

Mandatory Training Compliance

	2 or more Directorates non-compliance with NHS Wales target	X
	Single Directorate non-compliance with NHS Wales target	
	Fully compliant	



*Knowledge Directorate data appearing for the first time

Narrative

Organisation-wide the trend shows a slight rise in compliance during Q4. No directorates are compliant with the PHW target. Corporate which includes the Board, Board Business Unit and the Executive Team still remains below the NHS Wales target of 85% compliance. Corporate has been non-compliant since Q3 2018/2019. Operations and Finance are below the NHS for the second quarter.

In an effort to improve compliance rates, the issue of compliance within the Corporate Directorate was discussed at the Business Executive Meeting in May and the decision was made that the organisational target of 95% should be suspended during the current period and the 85% target set by Welsh Government should be adopted across the organisation instead.

As of the 9th July organisational compliance was at 86%, and of the two Directorates that were below the WG target, Operations and Finance are now at 90% whereas Corporate (allowing for maternity leave and secondments) remain below target at 75%.

Performance Indicator		No	Remarks
Directorates compliant with Public Health Wales target		0	
Directorates compliant with NHS Wales target		8	
Directorates below 85% compliance		2	Operations and Finance 79%, Corporate 64%
Key Risk Indicators			Status
KRI1	3 or more Directorates below 85% compliance for 1 reporting period		
KRI2	2 or more Directorates below 85% compliance for 2 reporting periods		
KRI3	1 or more Directorates below 85% compliance for 3 reporting periods		

Information Governance Working Group

Date of last meeting – 15th January 2021

Key points

- IGWG and Caldicott Guardian meeting amalgamated.
- Due to Covid some of the action due dates have been revised.
- The IG risk register, is currently under review and will be shared at the next meeting.
- All Wales Internet Use, Information Governance and Information Security Policies were approved.

Assurance report

Internal audit reports

None received during the reporting period

External audit reports

None received during the reporting period

Self-inspection reports

None received during the reporting period