

ABERDEEN CITY COUNCIL

COMMITTEE	Finance, Policy & Resources
DATE	20 September 2017
REPORT TITLE	Corporate Information & ICT Acceptable Use Policy
REPORT NUMBER	CG/17/101
CG LEAD OFFICER	Steve Whyte
REPORT AUTHOR	Helen Cannings

1. PURPOSE OF REPORT:-

- 1.1 To seek Committee approval for a new consolidated Corporate Information Policy, and a revised Corporate ICT Acceptable Use Policy.

2. RECOMMENDATION(S)

- 2.1 It is recommended that Committee:

- a) Note the information contained within this report;
- b) Approve the new consolidated Corporate Information Policy, as outlined at sections 3.1 to 3.4, and at Appendix 1.
- c) Approve the revised Corporate ICT Acceptable Use Policy, as outlined at sections 3.5 and 3.6, and at Appendix 2.
- d) Delegate authority to the Council's Senior Information Risk owner to: (i) approve any new or revised procedures required to support the above Policies, and: (ii) make minor amendments to the above Policies.

3. BACKGROUND

Corporate Information Policy

- 3.1 The Council currently has in place seven corporate policies which relate to the proper governance and use of its information and data, as follows:
- Corporate Data Protection Policy & Procedures
 - Corporate Freedom of Information and Environmental Information Policy
 - Corporate Information Lifecycle Management Policy

- Corporate Records Retention Policy
- Corporate Information Asset Register Policy
- Corporate Information Security Policy
- Corporate Business Classification Scheme Policy

3.1.1 All seven of these policies are due for review.

3.2 The new consolidated Corporate Information Policy brings these seven existing policies into one concise, high level policy. This Corporate Information Policy sets out the Council's policy statement on the proper use and governance of its information and data, and compliance with applicable data protection, freedom of information, environmental information and public records law.

3.3 It is intended that the adoption of a consolidated Corporate Information Policy will make it easier for everyone affected to understand and carry out their roles in relation to the proper governance and use of the Council's information and data.

3.4 Please refer to **Appendix 1** for the new consolidated Corporate Information Policy.

3.5 Corporate ICT Acceptable Use Policy

3.5.1 The revised Corporate ICT Acceptable Use Policy sets out the Council's policy statement on the acceptable use of Council ICT equipment, systems and networks.

3.6 Please refer to **Appendix 2** for the revised Corporate ICT Acceptable Use Policy.

3.7 Corporate Information and ICT related Procedure

3.7.1 These Policies will be supported with corporate procedures and guidance which will set out how Staff, Elected Members, and other relevant groups are expected to carry out their roles in relation to the proper governance and use of the Council's information and data, and the acceptable use of Council ICT equipment, systems and networks.

3.8 Maintaining a separation of policy and procedure allows for the appropriate and timely updating by officers of procedure in response to new and changing legislation, systems, and ways of doing business, as well as new and emerging cyber threats.

3.9 For example, current procedure around data protection compliance will be updated in readiness for the General Data Protection Regulation which takes effect on 25 May 2018. This updating requires to be done on a rolling basis as guidance is published by the Information Commissioner's Office. The proposed separation of policy from procedure will allow procedure to be revised updated, approved and implemented by officers in a timely manner. It is proposed that approval of any new or revised procedures required to support the Corporate ICT Acceptable Use Policy and the Corporate Information Policy be delegated to the Council's Senior Information Risk Owner.

3.10 Minor Amendments to the Policies

- 3.10.1 It is also proposed that the Senior Information Risk Owner be given delegated authority to make minor amendments to the Corporate ICT Acceptable Use Policy and the Corporate Information Policy. This will ensure that minor amendments or updates can be made in a timely manner.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from this report. The proposed ICT Acceptable Use and Information Policies form part of the Council's wider Information Assurance Framework, to ensure proper use and governance of our information and data, in compliance with relevant law. There are potential indirect financial implications related to penalties for non-compliance, as outlined at section 5.3, below.

5. LEGAL IMPLICATIONS

- 5.1 The Council's use and governance of its information is subject to the following legislation: the Data Protection Act 1998, the General Data Protection Regulation (from 25 May 2018), the Public Records (Scotland) Act 2011, the Freedom of Information (Scotland) Act 2002, the Environmental Information (Scotland) Regulations 2004, and the Reuse of Public Sector Information Regulations 2015.
- 5.2 Use of the Council's ICT equipment, systems and networks is subject to the above legislation, and also the Computer Misuse Act 1990, the Copyright, Design and Patents Act 1988, the Health and Safety at Work Act etc. 1974, The Human Rights Act 1998, the Regulation of Investigatory Powers (Scotland) Act 2000, the Communications Act 2003, and the Equality Act 2010.
- 5.3 The incoming General Data Protection Regulation (GDPR) will bring in significantly increased penalties for non-compliance with data protection law. The maximum penalty for non-compliance with the GDPR is 4% of turnover, or €20 million, whichever is higher.
- 5.4 The UK Government has confirmed that GDPR will be implemented into UK law, so it is not anticipated that the UK's exit from the EU will have Any significant impact the Council's requirement to comply with GDPR.

6. MANAGEMENT OF RISK

6.1 Financial

- 6.1.1 The proposed ICT Acceptable Use and Information Policies, as part of the Council's wider Information Assurance framework, form part of the Council's mitigation against the risk of non-compliance with applicable Data Protection law, which may lead to enforcement action with monetary penalties and/or financial liability for damages to customers.

6.2 Employee

6.2.1 The proposed ICT Acceptable Use and Information Policies, as part of the Council's wider Information Assurance framework, form part of the Council's mitigation against the risk that our staff, elected members, and other groups covered by these policies do not have the information and knowledge they need to play their part in the proper use and governance of the Council's information and data, and the acceptable use of the Council's ICT systems, networks and equipment. If approved, the implementation of these policies will be supported by appropriate awareness activities.

6.3 Customer

6.3.1 The proposed ICT Acceptable Use and Information Policies, as part of the Council's wider Information Assurance framework, form part of the Council's mitigation against the risk that customers are put at risk of harm due to inadequate management of personal data, and the risk that customers are unable to exercise their legal rights in relation to information and data held by the Council.

6.4 Environmental

6.4.1 No risks.

6.5 Technological

6.5.1 No risks.

6.6 Legal

6.6.1 The proposed ICT Acceptable Use and Information Policies, as part of the Council's wider Information Assurance framework, form part of the Council's mitigation against the risk that Council is exposed to enforcement or legal action resulting from non-compliance with information legislation.

6.7 Reputational

6.7.1 Realisation of any of the above risks would also be likely to lead to significant reputational damage to the Council.

7. **IMPACT SECTION**

7.1 Economy

7.1.1 Information and data are key assets of the Council, and recognised in the Aberdeen City Local Outcome Improvement Plan 2016-26 and the Aberdeen City Council Strategic Business Plan as critical enablers of the Council achieving its priorities for people, place and economy.

7.1.2 The proposed ICT Acceptable Use and Information Policies, as part of the Council's wider Information Assurance framework, form part of the Council's

assurance measures around our information, to ensure that it is fit to enable the Council to deliver outcomes for our people, place and economy.

7.2 People

7.2.1 As at section 7.1, above.

7.3 Place

7.3.1 As at section 7.1, above.

7.4 Technology

7.4.1 No impact.

8. BACKGROUND PAPERS

Being Digital: A Transformation Strategy for the Council
Information Management Strategy

9. APPENDICES (if applicable)

Appendix 1: Corporate Information Policy

Appendix 2: Corporate ICT Acceptable Use Policy

10. REPORT AUTHOR DETAILS

Caroline Anderson
Information Manager
CAnderson@aberdeencity.gov.uk
01224 522521

Helen Cannings
Information Management Team
HCannings@aberdeencity.gov.uk
01224 522521

HEAD OF SERVICE DETAILS

Simon Haston
Head of IT & Transformation
SHaston@aberdeencity.gov.uk
01224 523366