

<b>REPORT TITLE</b>	<b>REVISION OF MEMBERS' ICT POLICY</b>
<b>REPORT OF</b>	<b>HEAD OF ICT STRATEGY AND DELIVERY</b>

**REPORT SUMMARY**

Wirral Council is responsible for a wide variety of information, some of which is personal and sensitive. Elected Members are responsible for the personal information of Wirral citizens in their Ward / Constituency. Members and the Council have legal and moral responsibilities to ensure that the security of that information is maintained.

This is not a key decision.

The attached document replaces the existing 'Members' ICT Policy' agreed by Council on 19 December 2016.

**RECOMMENDATION/S**

**That the Members' Information & ICT Acceptable Use Policy be recommended to Council for approval.**

## SUPPORTING INFORMATION

### 1.0 REASON/S FOR RECOMMENDATION/S

1.1 Wirral Council maintains an Information Governance Framework which seeks to protect the security of its information assets. This is a combination of policy, procedural and technical controls which together help council officers and you, as an Elected Member, manage the risks to the confidentiality, integrity and availability of council information.

### 2.0 OTHER OPTIONS CONSIDERED

2.2 No other options considered. Failure to adequately protect council or constituents' information will result in a compromise of its security which can have a number of negative consequences for the council, including:

- Financial penalties - The ICO can issue monetary penalties up to €20 million to organisations which have failed to comply with the DPA.
- Legal ramifications – Serious breaches of the DPA can result in legal action, including prosecution.
- Reputational damage – Data breaches are often reported in the media and consequently result in the public perception of an organisation and/or the individuals who represent them, being damaged.
- Emotional / physical harm – The compromise of personal and sensitive data can result in harm to the individuals to whom the information relates.
- Compliance – Failure to maintain information and ICT security can result in the council not complying with the Public Services Network (PSN) and NHS Data Security and Protection Toolkit standards. This could result in the authority being unable to deliver key services.

### 3.0 BACKGROUND INFORMATION

3.1 The purpose of the Members' Information & ICT Acceptable Use Policy (**Appendix 1**) is to confirm responsibilities as a new or existing Elected Member of Wirral Council in terms of the acceptable use of council information and ICT facilities.

3.2 As well as outlining responsibilities under the Data Protection Act it also details the key policy rules that must be followed to ensure the safe handling, storage and use of council and constituents' information.

3.3 It supplements the Wirral Council Members' Code of Conduct, and replaces the existing 'Members' ICT Policy' agreed by Council on 19 December 2016.

3.4 Further information and guidance concerning information security is available on the council's intranet site – [here](#)<sup>1</sup>.

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<sup>1</sup> <http://wbcnet.admin.ad.wirral.gov.uk/governance-information-responsibilities/councillors-responsibilities-information>

## **4.0 FINANCIAL IMPLICATIONS**

4.1 There are no financial implications attached to compliance with this policy. Breach of the policy resulting in the loss of personal sensitive information may lead to financial penalties from the Information Commissioner's Office.

## **5.0 LEGAL IMPLICATIONS**

5.1 Any breach of this policy, hereafter called an offence, will be subject to investigation by the Monitoring Officer of the council in consultation with Internal Audit and assisted as appropriate by technical staff. The Monitoring Officer will take action as appropriate following an investigation into the offence which may result in one or more of the following actions.

- Notification of the offence to the Party Group leader
- Notification of the offence to the Wirral MBC Standards Panel
- Notification of the offence to the Police

## **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

6.1 None

## **7.0 RELEVANT RISKS**

7.1 The lack of an up-to-date Members' Information & ICT Acceptable Use Policy may present the risk of non-compliance with Data Protection law or a breach of Council Information and ICT security controls.

## **8.0 ENGAGEMENT/CONSULTATION**

8.1 Revised Members' Information & ICT Acceptable Use Policy to be recommended to Council for approval. There are no implications for partner organisations.

## **9.0 EQUALITY IMPLICATIONS**

9.1 None

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## **APPENDICES**

Appendix 1 - Members' Information & ICT Acceptable Use Policy (as revised)

## **BACKGROUND DOCUMENTS**

General Data Protection Regulation (GDPR) - came into force on May 25, 2018

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>Standards and Constitutional Oversight Committee</b>	<b>5 December 2016</b>
<b>Council</b>	<b>19 December 2016</b>