



Buckinghamshire County Council
Select Committee
Finance, Performance and Resources

Minutes

FINANCE, PERFORMANCE AND RESOURCES SELECT COMMITTEE

**MINUTES OF THE FINANCE, PERFORMANCE AND RESOURCES SELECT COMMITTEE
HELD ON TUESDAY 5 NOVEMBER 2019, IN MEZZANINE ROOM 1, COUNTY HALL,
AYLESBURY, COMMENCING AT 2.31 PM AND CONCLUDING AT 4.04 PM.**

This meeting was webcast. To review the detailed discussions that took place please see the webcast which can be found at: <http://www.buckscc.public-i.tv/core/portal/home>
The webcasts are retained on this website for 6 months. Recordings of any previous meetings beyond this can be requested (contact: democracy@buckscc.gov.uk)

MEMBERS PRESENT

Mr W Bendyshe-Brown, Mr T Butcher, Mr C Clare (Vice-Chairman), Mr D Martin,
Mr D Shakespeare OBE, Ms J Ward and Mr D Watson (Chairman)

OTHERS IN ATTENDANCE

Mr M Everitt, Mr J Hollis and Mrs K Sutherland

1 APOLOGIES FOR ABSENCE/CHANGES IN MEMBERSHIP

Apologies for absence were received from Anders Christensen.

2 DECLARATIONS OF INTEREST

There were none.

3 MINUTES

The minutes of the meeting held on 10th September 2019 were agreed as an accurate record, subject to an amendment, as Mr Tim Butcher was marked as present but he had given apologies.

Subsequent to the meeting, records were checked and it was found that Mr Butcher had attended the 10th September meeting therefore the original unamended minutes were correct.

4 PUBLIC QUESTIONS



There were none.

5 CHAIRMAN'S REPORT

It was noted that there would be no further scheduled meetings of the Committee.

6 INFORMATION MANAGEMENT

The Chairman welcomed Mr John Chilver, Cabinet Member for Resources and Mr Matt Everitt, Head of Insight and Business Improvement to the meeting. Mr Everitt took members through a presentation which detailed recent changes to the Information Management team at the Council, improvement work that had been undertaken over the past six months and priorities for the team for the next six months.

During the presentation and in response to Members' subsequent questions the following main points were noted:

- Following the introduction of GDPR in May 2018, the Council undertook an Information Governance and Data Protection review. It was important to ensure that data was being used in accordance with legal requirements and that the Council could maximise the value of the information that it holds.
- As GDPR brought in stricter requirements a decision was taken to establish a centralised Information Management Team, which incorporated: Data Protection & Information Governance, Rights to Information, Freedom of Information, Modern Records and Business Partners, and was headed up by a new Information Strategy and Governance Manager, who had recently taken up the post.
- Seven Information Management Standards had been developed, including more detailed guidance for how we respond to Data Loss Incidents/Breaches and Subject Access Requests.
- Improvements had been made to data collection and reporting processes, using the Respond system across all areas of the Council. This provided a more accurate oversight and improvement work is continuing in this area.
- Additional resources of two specialist Business Partners – one to work in TEE and Resources and one to work in Communities, Health and Adult Social Care – had also been introduced.
- Between April and September 2019, two data breaches had been reported to the Information Commissioners Office (ICO), compared to three in the same period in 2018 and five in the 6 months immediately following GDPR. There had been 78 Data Loss Incidents which was an increase of 61 from the same period in 2018, but this was largely due to better understanding amongst staff and increased reporting and recording.
- 76% of SARs were completed within timescales, with the highest number of requests being received by Children's Services.
- Freedom of Information (FOIs) requests had increased from 757 in 2018 to 836 in the same period in 2019.
- Mr Everitt explained the difference between a Data Loss Incident and a Data Breach. A Data Loss Incident could be something like an email being sent to the wrong address by accident. A Data Breach has to be reported to the ICO as the nature of the data that has been lost or shared incorrectly could impinge on an individual's rights and freedoms.
- It was acknowledged that there was a reliance on staff to report data losses or breaches and Members expressed concerns that some people might be reluctant to admit they had made such a mistake. Mr Everitt was confident that the operating model of the team supported improved reporting, as evidenced by the increase reported this year.

- There had been an increase in the number of FOI requests since the introduction of GDPR, with Children's Services and Transport, Economy and Environment receiving the most. It was reported that the dedicated FOI team had a very efficient process and expertise in terms of how to respond. They were also promoting the transparency agenda – if the Council made more information publicly available on the website this could reduce the number of FOIs.
- A Member asked if there was an estimated cost to the Council for responding to FOIs or some sort of indication of the number of hours spent on this activity as it required cross-Council liaison. It was agreed that Mr Everitt would investigate this and respond after the meeting.

ACTION: Matt Everitt

- Approximately 380 SARs were received per year with circa 80% directed to Children's Services. Once the identity of the request has been verified, the Council has one calendar month in which to provide the information, although an extension of up to two further months can be requested if the SAR is particularly complicated. Some information may have to be redacted.
- A Data Protection Hub had been established on the Intranet, designed as an accessible resource for staff with queries on the subject and included guidance on how to deal with requests and report data losses or breaches. Flow Charts were also being developed to make the guidance more accessible. Increased communication for staff was planned over the next 6 months.
- In response to a question about the Brava redaction tool, it was explained that this would sit within the content server system that the Council already had, which was a secure electronic repository for data files. The Brava redaction tool would enable electronic redaction which would be more efficient than doing it manually and also offered a very strong audit function.
- An Information and Data Workstream had been set up with colleagues from the district councils to plan for the Unitary transition. The workplan was all on track and policies, robust processes and plans for staff training were all in development and there was strong collaboration across the Information Management teams across all authorities. Members noted that it was vital that a seamless service could be provided for FOIs and SARs from vesting day.
- The Committee also emphasised that in addition to bringing together all the data held by the five existing councils, it was paramount that corporate memory was not lost during the transformation period.

The Chairman thanked Mr Chilver and Mr Everitt for attending the meeting.

7 LEGAL SERVICES UPDATE

The Chairman welcomed Mr John Chilver, Cabinet Member for Resources and Mr Jamie Hollis, Head of Legal and Compliance to the meeting. Mr Chilver introduced the item by explaining that the Council's contract for legal services with HB Law had been terminated on 30th September 2019 and an interim arrangement to 1st April 2020 was now in place. Currently there was a full team and since 1st October there had been very few concerns or queries raised by legal service users, which was very positive.

Mr Hollis took Members through the report and highlighted the following points:

- The new Legal Service was a unique opportunity for collaboration with legal colleagues from the District Councils ahead of unitary transition. It had been a very positive experience working with the county-wide project team in delivering Phase 1 of the project, and Phase 2 discussions were about to begin.

- Additional legal staff had been recruited to ensure sufficient capacity was available to cover all current BCC legal work, and all IT had been in place on day one. File migration had been successful, including historic files, all of which were now with BCC.
- The change to Legal Services had been communicated to all staff via a comprehensive communications plan and business unit colleagues who were regular service users had been involved in the preparatory work.
- The new Legal Service was operating a full cost recovery model, billing the business units at a set hourly rate in arrears, as they used the service. Additional charges for barristers etc would be charged directly to the business units. The service wanted to be more responsive to the needs of clients, as well as offering value for money.
- A contingency had been set aside to cover overheads, and any unexpected increase or decrease in demand in 2019/20. Initial set up costs were estimated to be approximately £30,000 higher than anticipated due to costs associated with third parties, but reserves had been identified to cover these.

In response to Members' questions and during the subsequent discussions the following main points were noted:

- All relevant staff transferred to the new service as planned. In hindsight it would have been helpful for staff if additional clarity around terms and conditions could have been provided earlier in the process.
- By the end of day one, all staff had been issued with the appropriate IT hardware and everything was working properly.
- There was a discussion about whether the shared service with Harrow had been successful. It was acknowledged that there were different opinions - on the whole it had worked effectively. With the transition to Unitary it was decided that it would be more appropriate to bring the service back in-house.
- Mr Chilver commented that there had also been a shared HR service with Harrow and it would be helpful to review the lessons learned from both shared services. There were also some issues remaining with pension liabilities for staff.
- The issue of capacity and sufficient in-house expertise was raised. Mr Hollis explained that part of Phase 2 would be a 'stocktaking' exercise, mapping out the existing staff and where any gaps might be. There may be some duplication of staff but on the whole, the specialisms of district and county staff were complementary, and the legal services project proactively worked toward minimising any duplication.
- The Legal Advice unitary workstream had been tasked separately with overseeing any additional legal capacity needed to support unitary transition requirements for the new Buckinghamshire Council.
- It was hoped that the legal team would all use one case management system from 1st April 2020.
- A Member suggested that Legal Services should promote their service offer to Academies across the county.

The Chairman thanked Mr Chilver and Mr Hollis for attending the meeting.

8 FPR SELECT COMMITTEE - A RETROSPECTIVE

Mrs Sutherland, Committee and Governance Manager tabled a short report for discussion. The document highlighted the different areas of work undertaken by the Committee since the May 2017 election and Members were asked for their comments. It was agreed that the Chairman and the Committee and Governance Manager would make some further changes and the revised version would then be circulated to all members for comments.

ACTION: Chairman/Committee and Governance Manager

9 DATE AND TIME OF NEXT MEETING

There were no further meetings of the Finance, Performance and Resources Select Committee scheduled.

CHAIRMAN