

## **Data and transparency programme**

### **Purpose of report**

For discussion and direction.

### **Summary**

This report updates members on two aspects of the LGA's data and transparency programme and invites members' guidance.

### **Recommendation**

That Improvement and Innovation Board considers the progress to date of these two projects about councils' use of data and of personal data protection and offers guidance.

### **Action**

Officers to pursue the projects as indicated in the report and as advised by members.

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## **Data and transparency programme**

### **Background**

1. The LGA's Data and Transparency programme comprises a range of projects and activities funded through DCLG grant and delivered by members of the Research and Information Team. The aim of the programme is to support and coordinate better use of data within local government and increase data sharing, open data publishing and consistency of data practice throughout the sector.
2. This report focusses on two current and active projects:
  - 2.1. practices to promote better informed and evidenced decision making – an Intelligent Council.
  - 2.2. Supporting the preparations for GDPR and the sharing of data and research.

### **The Intelligent Council Project**

3. The current emphasis on transparency and the external scrutiny of council activities places renewed emphasis on the importance of good data and data usage within local government.
4. Robust data practices and the use of good analysis and presentation are also key to guiding evidence-based decision making. By and large councillors and senior managers know what information they require to inform decisions but many councils have found it necessary to reduce resources and budgets in the areas of data and business analysts and there can be a lack of understanding on what good practice in evidence-based decision making looks like.
5. The challenge is to help research officers make best use of resources which already exist and to help them inform decision makers effectively - and also to help senior managers and politicians understand how to encourage such ways of working. This project aims to demonstrate the benefits of placing more emphasis on evidence collection and use. What are the research disciplines and approaches which an excellent local authority would be expected to deploy and why?
6. The LGA is working with partners to explore the idea of the 'Intelligent Council' with the aim of setting out what an excellent evidence-based organisation looks like. The project aims to develop a knowledge base of support materials and a framework for councils to assess their current position and understand the benefits of evidence-informed decision making. It will identify those skills, tools, guidance, techniques and tips to help authorities make better use of data to inform evidence-led decision making and the business case for doing so. We also envisage developing a self-assessment tool for councillors and officers to monitor what stage of maturity their organisations have reached in the improvement journey and to identify the next steps on their road to improvement. We are working with partners to oversee this work and have formed an advisory group from

representatives of the Society of Local Authority Chief Executives (SOLACE) and the Local Area Research and Intelligence Association (LARIA).

7. In terms of progress to date, a procurement exercise was undertaken to select an expert, independent research consultant to undertake an initial desk study scrutiny of the practices currently in place in a sample of local authorities and the views of relevant stakeholders on what makes an 'Intelligent Council'. A small research company, *AnalyticsCambridge*, was selected. The work has involved interviewing a wide range of councillors and senior managers to determine their thinking on what types of information best supports them in forming their decisions and managing the priorities and work of their council. We also hope to identify good practice examples of councils that use evidence and information to great effect. From this information we will create and build up an online hub of resources and enablers that will help authorities learn from each other and set the framework for making better use of the data and skills that they hold.
8. We have now reached the position where we have a good understanding of the issues, core techniques and data practices that are being followed within effective councils. We intend to summarise these into a presentation and will engage with senior managers in a workshop at the SOLACE Summit to take place in Manchester on 1-3 November 2017.
9. Depending on the reception we receive at the summit, and the advice on next steps that we receive, we will then move to scope the creation of the online knowledge base that councils can use to challenge their current working and move towards improvement based upon a sector-wide understanding of what is considered to be best practice.
10. We would welcome any Board members who are interested in this project to work with us to widen our input from councillors.

### **Supporting local government in its preparations for GDPR**

11. On 25 May 2018, the General Data Protection Regulation (GDPR) comes into effect. This is derived from European law but the Government has confirmed that many of the directives will carry through to domestic law.
12. The regulation mandates new and more rigorous requirements for organisations relating to the protection and management of personal data. It is no longer just about organisations storing and securing data, it is about capturing the context of data, documenting process and policy and being able to prove everything is being done to protect the subject's data and the rights of the subject him or herself. The new regulation will impact almost every area of local government business – hardcopy, electronic, website data, images, recordings, CCTV and written records. The costs to each council of implementing GDPR is substantial. Gloucestershire County reported an estimate of £600,000 to prepare.

13. Organisations that fail to prepare for these changes leave themselves open to heavy penalties in the form of fines of up to €20 million or 4 per cent of revenue/turnover for any infraction. We detect that many councils have not yet fully realised the enormity of the preparations necessary and their impact on budgets and other resources. In particular there is general concern that some external services for which authorities have indirect responsibility, such as schools, will be difficult to engage; and unplanned demand of council resources will impact as we approach the implementation date of 25 May 2018.
14. We are keen to support local authorities implement the Regulation but, at the time of writing, the Government has not published its interpretation of the EU GDPR directive and which aspects it will carry through to domestic law after Brexit. DCMS is responsible for this activity. As a consequence, we are not able to fully confirm the activities and preparations necessary, pending publication of the new Data Protection Act. As a result we are, for now, focussing on the substance of the new regulation and on those items of preparation that will take substantial resource and time to prepare.
15. In terms of our approach, we are seeking to work with other organisations providing advice and we are also providing mechanisms to enable the sector to share its thinking and practice.
  - 15.1. We are aligning ourselves with other information governance groups that are undertaking publication of substantial support materials and guidance. In particular, we have built relationships with the Information Commissioner's Office (ICO), the NHS Health and Social Care GDPR Working Group and the Crown Commissioning Service. Each organisation is preparing support materials which we are able to influence and use within local government.
  - 15.2. We are seeking to facilitate a sector-led approach encouraging open shared discussion between authorities and the sharing of preparation materials and documents for others to review and re-use.
16. We are undertaking four areas of work, designed to help English councils and fire authorities understand and prepare for GDPR. They are:
  - 16.1. We wrote to all Chief Executives and Heads of Legal Services in July setting out the importance of [GDPR and guidelines](#) on areas of attention currently in need of focus.
  - 16.2. We have opened a highly active [knowledge sharing portal](#) on the Knowledge Hub where local government and health officials are able to meet online to share ideas, questions and documentation, such as policies, templates, plans that they have prepared. This launched in late July and currently has achieved a registered membership of 460 users.
  - 16.3. We are preparing a collection of [three free briefing events](#) planned for Manchester, London and Birmingham in January and February. We aim to have data experts

from the ICO, Health and Social Care, Crown Commissioning Service as speakers and a collection of smaller workshops run by sector experts covering more specific data protection subject areas. Each event will accommodate 100 delegates and we anticipate over subscription and some disappointed applicants who are deferred to a waiting list. The number of events is limited by capacity of the expert speakers to make themselves available. We will video record the London event and make sessions available for later viewing on YouTube.

16.4. We have in development a free eLearning module for release later in the year to instruct councillors on the implications and importance of conforming to GDPR. It will also consider the lines of questioning that councillors should be seeking of their organisations to reassure themselves that appropriate progress is being made.

17. In terms of next steps, we had intended a short survey of authorities to determine their understanding, plans, readiness and hotspots. However, it has now become apparent that SOCITM – the Society of IT Managers – is doing something similar. We will aim to work with SOCITM around the results and to determine where additional support might be needed.

### **Implications for Wales**

18. Welsh local authorities have access to our knowledge sharing hub, so are benefitting from that work we are doing. The London briefing event will also be recorded for all authorities in England and Wales to view.

### **Financial implications**

19. There are no additional financial implications arising from these two projects at this stage.

### **Next steps**

20. To pursue the projects as indicated above and in the light of members' guidance.