



NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

Nottinghamshire and City of Nottingham
Fire and Rescue Authority
Policy and Strategy Committee

INFORMATION GOVERNANCE UPDATE

Report of the Chief Fire Officer

Date: 03 February 2017

Purpose of Report:

This report provides an update to committee on the information governance arrangements at Nottinghamshire Fire and Rescue Service.

CONTACT OFFICER

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1. BACKGROUND

- 1.1 As a public authority, Nottinghamshire Fire and Rescue Service (NFRS) has information governance duties that potentially create significant demands upon the organisation to ensure compliance, specifically in relation under the Data Protection Act 1998, Freedom of Information Act 2000, Regulation of Investigatory Powers Act 2000 and the Environmental Information Regulations 2004.
- 1.2 NFRS data protection responsibilities include proper collection, storage, use and disposal of personal information of staff and citizens. The Service registers annually with the Information Commissioner as part of its duties under the Data Protection Act. This area is of particular interest when working across partnerships that require information sharing to address community and individual citizen risk.
- 1.3 The Service's freedom of information responsibilities include proactive publishing of certain information as well as responding to requests for specific information, during 2016 a total of 106 requests were received and dealt with. These all vary in complexity and degree of work by employees, for which no charge can be made where the work does not exceed 18 hours.
- 1.4 The Regulation of Investigatory Powers Act (RIPA) gives fire and rescue services powers to use some categories of covert investigation – eg: targeted surveillance. NFRS has not used these powers, but is inspected by the Office of Surveillance Commissioners every three years to check NFRS keep staff trained and have appropriate procedures in place.
- 1.5 The Environmental Information Regulations 2004 provide public access to environmental information held by public authorities. Public authorities must make environmental information available proactively and members of the public are entitled to request environmental information from them.

2. REPORT

- 2.1 Since the report in November 2014 NFRS has established an Information Governance Manager post to co-ordinate compliance in these areas under the Assistant Chief Fire Officer (ACFO) as the nominated Senior Information Risk Officer (SIRO). The focus is to ensure that the policies and procedures for the organisation remain fit for purpose, compliant with statutory requirements and ultimately manage the risk potential to the Authority.
- 2.2 The Office of Surveillance Commissioners visited NFRS in November 2016 to assess compliance with RIPA specifically. The final report was generally positive, recommending only minor changes to the Service's current RIPA policy and processes, including regular reporting to Fire Authority.

- 2.3 A number of key Officers have received initial and refresher training to ensure that day to day application of RIPA meets the statutory requirements with the Information Governance Manager providing a competent co-ordinating role.
- 2.4 Officers have instigated a regular protective security meeting that seeks to link information security with personnel and premises security matters. This area is directly linked to the ongoing Public Service Network (PSN) project to underpin the Service's transition to the Emergency Services Network.
- 2.5 RIPA is an area that the United Kingdom fire service historically uses infrequently, however, it offers powers to the Authority that may be required, for example, in more complicated enforcement action via the Fire Protection team.
- 2.6 A requirement within RIPA is to ensure that the Authority is sighted upon when and how the organisation utilises these powers and this report makes recommendation that the Authority will receive a report to encompass broader information governance matters and fully discharge its duties.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

- 4.1 The administration time involved in compliance with legislation and schemes continues to be an area of risk and sustained demand, however, appointment of the Information Governance role has gone a long way to address any implications.
- 4.2 Update training has been provided to key roles and the implications will continue to be monitored through line managers when considering the knowledge and skills of staff as part of the personal development review process and the Information Governance Manager will liaise with the SIRO to consider any further actions required.

5. EQUALITIES IMPLICATIONS

An equality impact assessment has not been undertaken because this report does not amend existing policy or service provision.

6. CRIME AND DISORDER IMPLICATIONS

There are no crime and disorder implications arising directly from this report.

7. LEGAL IMPLICATIONS

There are no new legal implications arising directly from this report.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1 Information governance risks are included on the Corporate Risk Register and this is currently under review to provide assurance that the Service continues to have appropriate and proportionate risk controls in place.
- 8.2 Within the wider approach to the Protective Security Framework, formal arrangements have now been put in place that will seek to better review and manage information risk under the SIRO and Information Governance Manager.

9. RECOMMENDATIONS

That the Chief Fire Officer provides an information governance report annually to the September meeting of the full Fire Authority, to include freedom of information requests, data protection areas of interest, RIPA activity and an overview of environmental information requests.

10. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)

None.

John Buckley
CHIEF FIRE OFFICER