

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number: 1922
Author: Mick Dunn
Department: Development
Contact: Mick Dunn
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Subject: Information Rights performance challenges

Total Value: £200,000 (Type: Revenue)

Decision Being Taken: To approve spending monies made available through the Council's Corporate Contingency Fund (£130,000) and IT Efficiency Fund (£70,000) in order to maintain the improvement programme for Information Rights performance and Data Protection Act compliance.

Reasons for the Decision(s) The additional resource is required to support the following:-

1. Establishing performance levels for Information Rights that are compliant with the Council's legal obligations for responding to both Freedom of Information and Data Protection requests
2. Reduction of the current backlog of Information Rights requests to acceptable levels
3. Reviews, improved business processes and the development of proposals to establish a sustainable process relating to Information Rights to ensure future compliance levels are maintained.
4. Addressing immediate identified priorities and establish a baseline for longer term action to feed into the emerging Information Matters Transformation Programme.

All the above are intended to meet the expectations of the Information Commissioner's Office for Council performance within a context of increasing demand.

Other Options Considered:

1. Do Nothing: The performance of Information Rights will remain below acceptable compliance levels, within the context of increasing volume of requests. This may lead to regulatory action by the ICO resulting in a financial and reputational risk to the Council and could increase the likelihood of causing distress to customers if processes associated with Data Protection are not improved.

2. Establish additional capacity to address the recommendations made by the ICO and look to improve Information Rights performance levels.

Background Papers:

None

Published Works:

None

Affected Wards:

Citywide

Colleague / Councillor Interests:

None

Consultations:

Date: 02/02/2015
Ward Councillors: Graham Chapman
Allocation of resource agreed

Date: 02/02/2015
Other:Glen O'Connell (SIRO) Simon Salmon (Head of IT)
Allocation of resource agreed

Date: 02/02/2015
Chief Finance Officer:Geoff Walker
Allocation of resource agreed

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

n/a

Equality:

EIA not required. Reasons: The decision relates to adding additional capacity to support existing functions.

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 13/04/2015

Advice Sought: Legal, Finance, Human Resources

Legal Advice:

Employment Law - Legal Comments
Under Section 7 of the Local Government and Housing Act 1989, any new appointment to any of the proposed posts should be made on merit. Any proposed new appointments and/or extension of existing contracts of employment should be in compliance with the Council's Employment Procedure Rules and the Council's established policies with regard to recruitment.

Kind regards

John Bernard-Carlin
(Team Leader)
Housing, Employment & Education Team Advice provided by John Bernard-Carlin (Team Leader) on 09/03/2015.

Finance Advice:

This decision seeks approval to spend £0.200m to ensure compliance to the Data Protection Act.

The cost will be funded from £0.130m Corporate Contingency and £0.070m IT Efficiency Fund, and approval has been secured from the relevant budget holders.

This funding is one-off and so any expenditure commitments must also be temporary to prevent an overspend.

The expenditure will be incurred in accordance with the Council's financial regulations.
Advice provided by Maria Balchin (Finance Analyst) on 12/02/2015.

HR Advice:

The report is supported. Any recruitment to support the additional resource needed will need to follow council procedures.

B Donoghue
HRBP - Dev
13/02/2015 Advice provided by Bridget Donoghue (HR Business Partner) on 13/02/2015.

Signatures

Graham Chapman (PH for Resources and Neighbourhood Regeneration)
SIGNED and Dated: 02/04/2015
Glen O'Connell (Acting Corporate Director of Resources)
SIGNED and Dated: 02/04/2015