

Cambridgeshire County Council FOI Report

Action Plan responding to recommendations by the Data Protection Officer, Peterborough City Council

Recommendation from Data Protection Officer, Peterborough City Council	Council Response & Agreed Actions	Review date	Responsible Officer
<p><u>Recommendation 1</u></p> <p>A register of contracts awarded and pertinent details including the value of the contract should be accurately maintained in line with the statutory Local Authority Transparency Code. Although the value may be less than £5000, it would promote open and transparency if greater detail was published.</p> <p>Cambridgeshire County Council should ensure that the Transport Service have an accurate and up-to-date a register of all contracts awarded to transport providers in addition to the corporate register of contracts. This should include all awarded since or in operation after 1 January 2013. This would ensure that full disclosure has been provided in this matter.</p> <p>Both above should include:</p> <ul style="list-style-type: none"> • Date of award • Start date of contract • End of Contract • Supplier name and details • Value of contract • Description of services provided • If the contract was the result of an invitation to quote or a published invitation to tender or an emergency award <p>It is understood that an audit of contract management within the Transport Service has begun which should review the issues highlighted in the PKFL report and this report. This should assist with the accuracy and currency of the contracts register.</p>	<p>The Council already maintains a corporate Contract Register, and publishes items of expenditure over £500, in line with the requirements of the Local Authority Transparency Code.</p> <p>The Transport Service also maintains its own records of contracts awarded. As a result of findings by PKF and the Council's Internal Audit team, a review of the contract recording processes within the Transport team has already been carried out in the summer of 2018, and a number of improvements to filing structures and record-keeping were put in place.</p> <p>An Internal Audit review of Contract Management in Transport is currently underway, which will provide assurance that these improvements have been fully embedded in the team, and identify any areas where further improvement may be required. Any necessary actions will be agreed with the Transport service and an action plan created.</p> <p>The outcomes of this review, and any further recommended actions identified, will be reported by Internal Audit in their next Progress Report to the Audit & Accounts Committee (July 2019).</p>	<p>31.03.2019 (fieldwork complete)</p> <p>30.07.2019 (report to Audit & Accounts Committee)</p>	<p>Mairead Claydon, Internal Audit & Risk Manager</p>

<p><u>Recommendation 2</u></p> <p>In the interests of transparency and in line with the statutory Local Government Transparency Code, Cambridgeshire County Council should ensure as a minimum the following information relating to grants is published when awarded to voluntary, community and social enterprise organisations.</p> <ul style="list-style-type: none"> • date the grant was awarded • time period for which the grant has been given • department which awarded the grant • beneficiary • beneficiary's registration • summary of the purpose of the grant, • amount • details of how the grant award was approved <p>Cambridgeshire County Council should consider whether it would serve them better for this to be part of a separate register or whether these details are captured within the contracts register or the £500 payment spend and can be tagged as such.</p> <p>Cambridgeshire County Council should consider whether they have identified and published details of all grants awarded to transport providers. This should include all awarded since or in operation after 1 January 2013. This would ensure that full disclosure has been provided in this matter.</p>	<p>The Chief Executive has instructed all Directors to maintain a list of grant awards in their areas, which is intended to form an initial basis for a Grants Register.</p> <p>Internal Audit is now completing a review of compliance with the organisation's Grants to External Organisations Policy, and as part of this piece of work is reviewing records of grants. The results of this audit will be reported to the Audit & Accounts Committee, along with details of any further recommendations required to address this issue.</p> <p>One of the actions which is likely to be recommended and agreed as part of this review, is for the Council's Grants To External Organisations Policy to be amended, to ensure that Cambs-FOI are notified of all future grant awards. This will then enable the team to compile a Grants Register to publish online on an annual basis.</p>	<p>31.03.2019 (Internal Audit review complete)</p> <p>30.07.2019 (report to Audit & Accounts Committee)</p>	<p>Mairead Claydon, Internal Audit & Risk Manager</p> <p>& SMT</p>
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<p><u>Recommendation 3</u></p> <p>Cambs-FOI should ensure that the formal internal review process should be reviewed to ensure that any issues are answered fully such as in the case of the payments made and the number of contracts are declared. The process should also be reviewed to ensure that there is resilience of more than one individual to undertake reviews and how an independent person may be sourced in contentious matters.</p>	<p>Peterborough City Council and Cambridgeshire County Council have formed a joint Information Governance service. A major part of this is to ensure that both services have support and resilience. As such this can be an immediate offer of support between the two councils on the formal internal review process for contentious matters.</p> <p>This support can be put in place by 30.04.2019 and reviewed to ensure at this point a process has been agreed.</p>	<p>30.04.2019 (review to be undertaken by Dan Horrex, Data Protection Officer CCC)</p>	<p>Sue Grace, Director of Corporate & Customer Services</p> <p>Dan Horrex, Data Protection Officer (CCC)</p>
<p><u>Recommendation 4</u></p> <p>Cambs-FOI should ensure that responses do explain why it has been necessary to apply an exemption such as redacting information.</p>	<p>Cambridgeshire County Council can ensure this is in place immediately in responding to FOI requests.</p> <p>This approach will be reviewed by 30.04.2019 to ensure that this has been actioned.</p>	<p>30.04.2019 (review to be undertaken by Dan Horrex, Data Protection Officer CCC)</p>	<p>Sue Grace, Director of Corporate & Customer Services</p> <p>Dan Horrex, Data Protection Officer</p>
<p><u>Recommendation 5</u></p> <p>Cambs-FOI should ensure that the Public Interest test undertaken sets out clearly what the link between disclosure and harm to the commercial interests are to enable them to determine whether it is more than hypothetical.</p>	<p>Cambridgeshire County Council already had a template for aiding with the Public Interest test, therefore it is felt that the key action required is organisational learning from this experience, moving forward. The template will also be updated to include the test of whether the potential harm is more than hypothetical.</p> <p>Peterborough City Council and Cambridgeshire County Council now share the Monitoring Officer role, and the Monitoring Officer makes the decision in such tests. This will ensure consistency in this area and across both councils.</p>	<p>31.03.2019 (template updated)</p> <p>30.04.2019 (review to be undertaken by Dan Horrex, Data Protection Officer)</p>	<p>Sue Grace, Director of Corporate & Customer Services</p> <p>Dan Horrex, Data Protection Officer</p>

	Completion will be evidenced by the inclusion of the test into the template and adopted by 31 March 2019. The operational effectiveness can only be tested should the need for a public interest test arise. It will however be reviewed by 30 April 2019 to ensure that the process is in place.	Officer CCC)	
<p><u>Recommendation 6</u></p> <p>Where there are clearly signs of a contentious FOIA request or group of focussed requests, Cambs-FOI should engage a senior officer in the service and ensure that person has oversight of the information being provided. Cambs-FOI should ensure that any contentious FOIA requests are highlighted to their Head of Service and Director so that appropriate senior support can be provided. It may be appropriate and useful to bring together key contacts into a group to handle such matters and ensure that controls are in place to deliver responses. This would ensure that all internal parties are aware of all communications to ensure consistency.</p>	<p>Cambridgeshire County Council are adopting a number of practices aimed at informing senior officers of FOI requests received and engaging services in those requests to a much greater level. These include sharing a weekly list of FOI requests received with the chief executive and senior officers, agreeing key contacts and approved answers coming from the service director or assistant director. The more contentious issues can be highlighted to specific senior officers to ensure their engagements.</p> <p>The capacity of the Cambs FOI service will be monitored by the Director of Corporate & Customer Services and the Data Protection officer CCC, to ensure it remains appropriate.</p> <p>This can be evidenced by the issuing of the weekly list as described by 30.04.2019. The operational effectiveness can only be tested should a contentious issue arise. It will however be reviewed by 30 April 2019 to ensure that the process is in place.</p>	30.04.2019 (weekly list to be in place, and review to be undertaken by Dan Horrex, Data Protection Officer CCC)	Sue Grace, Director of Corporate & Customer Services Dan Horrex, Data Protection Officer
<p><u>Recommendation 7</u></p> <p>Whilst it is not mandatory to have a disclosure log, Cambridgeshire County Council should consider publishing responses via the website and therefore making these available to the public.</p>	<p>Peterborough City Council and Cambridgeshire County Council have formed a joint Information Governance service. A key objective is to procure a new FOI system to deliver resilience, efficiency and transparency. One of the system requirements will be the ability to publish FOI responses to the wider public. This happened with the previous Cambridgeshire County Council but is not possible in the current system. Peterborough's system does publish responses to the council's website.</p> <p>This will be reviewed by those named at both councils in July 2019 with a target of implementation across both councils in December 2019.</p>	31.12.19 (implementation)	<p>Sue Grace, Director of Corporate & Customer Services Dan Horrex, Data Protection Officer</p> <p>Ben Stevenson, Data</p>

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