



Information Resilience and Transparency

Please ask for: Kelly Leeson
FOI Reference: 11197981
Phone: +443000415985
Email:
kcc.information@email.icasework.com
Date: 12 May 2020

Dear Mr Wells

Thank you for your request for information made under the Freedom of Information Act (FOIA) 2000 relating to Kent County Council's Information Governance Compliance. Firstly, please accept my sincere apologies for the delay in responding to your request. A recent audit of our iCasework case management system highlighted that no response had actually been sent out to you. I appreciate that as a consequence, the Council has not complied with statutory timescales on this occasion.

Please see the response provided below:

1) please can you send me a copy of the current subject access request acknowledgment AND response letter that you use

Please see the attached documents. Further information about data subjects rights is available from our website <https://www.kent.gov.uk/about-the-council/information-and-data/access-to-information/your-personal-information>. Guidance for organisations on how to recognise and deal with subject access requests can be located on the Information Commissioner's website <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-of-access/>.

2) a copy of the last 5 dpias completed

To provide you with copies of the last 5 Data Protection Impact Assessments completed, would involve an extensive interrogation of the Council's records across several hundred teams within each of the four KCC directorates as KCC does not hold a central register of completed DPIAs. I have also considered other sources; for example, KCC's Data Protection Officer but his support team does not hold a copy of completed DPIAs either, only those that are "work in progress" pending the DPO's recommendations. The search we would have to undertake would certainly exceed the appropriate limit of £450 (equivalent to 18 hours at £25 per hour). Therefore, in accordance with section 12 of the Freedom of Information Act, we are not obliged to comply with your request. However, please see attached for your information a copy of our DPIA policy and guidance, and also "top tips" for staff.

3) a copy of any internal mandatory information governance training that you give to staff which was written in the last 2 years including presentation slides and videos and any other media

The Introduction to Information Governance course is commercially sensitive, as we sell this to other bodies and organisations. The majority of the content was produced by

Learning Pool, who provide us with a catalogue of e-learning content which we can then amend as we need and resell if we choose.

Kent County Council considers that the information you have requested to be commercially sensitive as if released into the public domain would be prejudicial to Learning Pool's commercial interests and would hinder fair competition and could give rival companies an advantage. We are therefore relying on section 43 of the Freedom of Information Act to withhold this information from you. We consider the public interest is best served by promoting a competitive market, operating on a level playing field.

Offline copies are not available, as the course is provided in an online web page format and it is difficult to provide it in an alternative format. When this is needed for accessibility purposes, we have a separate set of material we provide.

4) a copy of any instructions given to staff members to reduce data security breaches, for example double checking work

Please see the attached guidance published on KCC's Intranet.

5) a copy of any policies implemented in the last 2 years within the organisation to help reduce the environmental impact that the organisation has?

Please see the below link for KCC's Environment policy and targets information.

<https://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/environmental-policies/council-environmental-targets-and-performance/council-policy-and-targets>

6) please can I have a copy of the risk rating that you use to evaluate data security incidents?

Prospective response:

We do not use a risk rating system to evaluate data security incidents. We simply follow the Information Commissioner's guidance <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/personal-data-breaches/>

If you are unhappy with this response, and believe KCC has not complied with legislation, you have 40 working days from the date of this response to ask for a review. You can do this by following our complaints process; details can be found at this link <https://www.kent.gov.uk/about-the-council/complaints-and-compliments#tab-10> on our website. Please quote reference 11197981.

If you remain dissatisfied following an internal review, you can appeal to the Information Commissioner, who oversees compliance with the Freedom of Information Act 2000. Details of what you need to do, should you wish to pursue this course of action, are available from the Information Commissioner's website <http://ico.org.uk/concerns>

Yours sincerely

Kelly Leeson
Information Access Officer