

LGSCO AND ICO UPDATES

| | |
|-------------------------------|--|
| Head of Service: | Andrew Bircher, Interim Director of Corporate Services |
| Report Author | Andrew Bircher |
| Wards affected: | (All Wards); |
| Appendices (attached): | None |

Summary

This report contains information on recent council complaint decisions from the Local Government and Social Care Ombudsman (LGSCO) and the Information Commissioner's Office (ICO).

Recommendation (s)

The Committee is asked to:

- (1) Note the report

1 Reason for Recommendation

- 1.1 To ensure the committee is kept apprised of complaints involving the Ombudsman raised against the council, as well as data breaches, and actions taken to remedy those where the council is found at fault.

2 Background

- 2.1 This is a regular report to the committee focused on LGSCO and ICO information.
- 2.2 Outside of this, the council receives an annual letter from the LGSCO, detailing all ombudsman complaints they've reviewed in the year. This letter is brought elsewhere on this committee's agenda.
- 2.3 Also, complaints performance data for stage 1 and stage 2 complaints detailing the number of complaints received, and the time taken to process these complaints, feature in the Corporate Performance Report, which is also elsewhere on this committee's agenda.

Audit and Scrutiny Committee

26 September 2024

- 2.4 An annual complaints report will also be brought to this committee setting out performance of the council's complaints handling for stage 1 and 2 including lessons learned. This report was last brought to the March committee and will next be brought in March 2025

3 Local Government and Social Care Ombudsman and Information Commissioner's Office complaints received since last meeting.

LGSCO

- 3.1 We have received no determinations from the LGSO since the last committee meeting.

ICO

- 3.2 Since the report to the last committee meeting there have been a further 5 data breaches, none of which was notifiable to the Information Commissioner's Office. They involved:

3.2.1 An email containing the basic personal identifiers (name, email address) of a resident was sent in error to wrong member of staff.

3.2.2 Email containing information about a council employee which was inadvertently forwarded to a third party as a result of Outlook auto-complete function.

3.2.3 Some historic staff records were made available through the (internal) intranet.

3.2.4 An email containing the basic personal identifiers (name, email address) of a resident was sent in error to another resident.

3.2.5 Disclosure of information relating to a complainant in a taxi licencing investigation. This was reviewed by the DPO and considered not notifiable to the ICO. All parties have been contacted.

- 3.3 In all the above where the email has gone to another party, the person who received it has been requested to delete. In the case of staff information on the intranet, this has all been removed, and will not recur as came about through creation of new staff intranet.

- 3.4 Consideration is being given to removal of auto-complete function on email.

4 Risk Assessment

Legal or other duties

- 4.1 Equality Impact Assessment

Audit and Scrutiny Committee

26 September 2024

4.1.1 None that arise directly from this report

4.2 Crime & Disorder

4.2.1 Although the issues under consideration by the LGSCO matter relate to a community trigger process, none arise directly from this report.

4.3 Safeguarding

4.3.1 None arise directly from this report.

4.4 Dependencies

4.4.1 None arise directly from this report.

4.5 Other

4.5.1 None arise directly from this report.

5 Financial Implications

5.1 **Section 151 Officer's comments:** There are no financial issues that arise from this report.

6 Legal Implications

6.1 **Legal Officer's comments:** Issues regarding data breach have potentially serious consequences but the items referred to above were minor and not reportable to the ICO.

7 Policies, Plans & Partnerships

7.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- Effective Council

7.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

7.3 **Climate & Environmental Impact of recommendations:** N/A

7.4 **Sustainability Policy & Community Safety Implications:** N/A

7.5 **Partnerships:** N/A

8 Background papers

8.1 The documents referred to in compiling this report are as follows:

Previous reports:

Audit and Scrutiny Committee

26 September 2024

- A version of this report has been taken to recent A&S committee meetings.

Other papers:

- None