



TITLE OF CONSULTATION: **APPOINTMENT OF SENIOR INFORMATION RISK OWNER (SIRO)**

OFFICER REQUESTING: **MARGARET WALLACE
PROGRAMME DIRECTOR – PEOPLE AND RESOURCES**

1.0 PURPOSE

1.1 To appoint a Senior Officer as the Information Governance Senior Information Risk Owner (SIRO). The SIRO role is a mandatory requirement for all public sector organisations including Local Authorities. Information Governance (IG) is a critical issue affecting all aspects of the Council's work. The SIRO is a Senior Officer with overall responsibility for Information Risk, in addition to responsibility for sponsoring and promoting the Information Governance policy within the Council. It is therefore proposed that Palbinder Mann, the Corporate Resources Manager, is appointed as the SIRO who will discharge the functions set out in the Notice, taking overall responsibility for IG within the Council, advising and supporting officers and where appropriate advising the Senior Management Team and Chief Executive on compliance with Legislation. Where appropriate, the SIRO will provide advice, guidance and relevant updates to the Council's Overview & Scrutiny Committee. The SIRO will report to Margaret Wallace, Programme Director – People and Resources. It is recommended by the Information Commissioner's Office that the SIRO should be a member of the Council's Leadership Team. It is considered that the Corporate Resources Manager is the appropriate Senior Officer given the other governance responsibilities falling within the remit of this role, and that the Officer carries the level of seniority within the Council.

2.0 RECOMMENDATION(S)

2.1 It is recommended that:

- (i) Palbinder Mann, Corporate Resources Manager be appointed as the Information Risk Owner (SIRO) for Ryedale District Council and to discharge the functions as set out in this Notice

3.0 REASON FOR RECOMMENDATION(S)

3.1 Information Governance (IG) means the effective management of information in all its forms and locations. It encompasses efficient ways of handling information, robust management of the risks involved in the handling of information, and compliance with Regulatory and Statutory guidance including Data Protection and Freedom of Information. IG relates to all electronic and paper based information, about how it is held, used and shared. IG is concerned with both keeping information safe and secure, and ensuring it is appropriately shared when necessary to do so. This is a significant challenge for all organisations, particularly public sector organisations such as Ryedale District Council, dealing with a wide range of functions

- 3.2 The importance of good IG has been highlighted by the Information Commissioner (ICO) who has written to Local Authority Chief Executives, drawing attention to significant new powers now available to the ICO to penalise Local Authorities for data security breaches and making recommendations on how Local Authorities may guard against this. One of the key recommendations is the appointment of a Senior Information Risk Owner (SIRO) who is member of the Authority's Leadership Team
- 3.3 The SIRO is the Officer responsible across the whole Council for Information Governance. The SIRO is responsible for the Strategy, acts as an advocate for good practice in IG at Leadership Team level, and is required to provide a statement of assurance as part of the Council's Annual Governance Statement.
- 3.4 Previously, this role was undertaken by the s151 Officer and the Head of Corporate Governance. The role of Corporate Governance Manager now specifies responsibility for IG and it is appropriate for this reason to also designate the role as SIRO.

4.0 SIGNIFICANT RISKS

- 4.1 If the Urgency Power is not invoked, there is a significant risk to the Council as there is an expectation that a SIRO is in place. Having a SIRO in place will ensure that the necessary focus is placed Council-wide on the prevention of data breaches. Each breach is reportable to the Information Commissioner's Office and may result in considerable fines being levied against the Council. This is in addition to the potential for other Regulatory and Statutory breaches.

5.0 IMPLICATIONS

- 5.1 The following implications have been identified:
- a) Financial
IG is a responsibility that already sits across the organisation and will continue to be delivered from within existing resources.
 - b) Legal
The Council has a legal obligation to appoint a SIRO.
 - c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)
There are direct implications in relation to data breaches of information held by the Council on employees and customers of the Council. The Council as custodians of the data owes a duty of care to these individuals to hold their data securely and for only the minimum amount of time in compliance with the General Data Protections Regulation. Any breaches of date will breach the Council's duty of care and may result in a fine by the Information Commissioner's Office.

6.0 MONITORING OFFICER ADVICE

Group Leaders to be advised that it is necessary to invoke Urgency Powers to appoint a SIRO. It is a requirement that all public sector bodies make such an appointment to comply with Statutory and Regulatory requirements for all matters relating to Information Governance (IG). Due to the mandatory requirements a SIRO must be appointed as soon as is practicable. The use of Urgency Powers is the most expeditious route to the appointment.

7.0 CONSULTATION RECORD

According to the Constitution, under urgency powers, decisions usually taken by the Council and its committees are taken by the CEO following consultation with the appropriate elected members.

The appropriate elected members are:

- The Chair of the appropriate committee, for matters relating to that specific committee¹

Group Leaders

Name of Consultee	Councillor D Keal
Agree.	
Date consultation completed	17.08.22

Name of Consultee	Councillor S Arnold
Agree	
Date consultation completed	22.08.22


Name of Consultee	Councillor L Burr
Agree	
Date consultation completed	22.08.22

Name of Consultee	Councillor J Frank
Agree	
Date consultation completed	22.08.22

Name of Consultee	Councillor M Potter
Agree	
Date consultation completed	17.08.22

Name of Consultee	Councillor K Duncan
Agree	
Date consultation completed	22.08.22

8.0 DECISION

Decision of the Acting CEO based on consultation	To be completed after consultation
05.09.22	

¹ "Chairman of the appropriate Committee" refers to committee specific matters and does not mean that all Committee Chairs will be consulted on everything