



SOUTH KESTEVEN DISTRICT COUNCIL

Follow Up 1

Internal audit report 3.21/22

Final

2 July 2021

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1. EXECUTIVE SUMMARY

With the use of secure portals for the transfer of information, and through electronic communication means, remote working has meant that we have been able to complete our audit and provide you with the assurances you require. It is these exceptional circumstances which mean that 100 per cent of our audit has been conducted remotely. Based on the information provided by you, we have been able to sample test, or complete full population testing using data analytics tools.

Background

We have undertaken a review to follow up on progress made to implement the previously agreed management actions from the following audits:

- 01.20/21 Follow Up 1; and
- 02.20/21 GDPR.

The 24 management actions considered in this review comprised of 10 medium, six low and eight not categorised priority actions. Concentrating on the actions classified as medium, and those not categorised, the focus of this review was to provide assurance that all actions previously agreed have been satisfactorily implemented. For actions categorised as low we have accepted management's assurance regarding their implementation.

Conclusion

Taking account of the issues identified in the remainder of the report and in line with our definitions set out in Appendix A, in our opinion South Kesteven District Council has demonstrated reasonable progress in implementing agreed management actions. Our testing has found that 13 actions have been fully implemented, two actions have been superseded, two actions have been partially implemented and eight actions have not been implemented.

Progress on actions

The following table includes details of the status of each management action:

Implementation status by review	Number of actions agreed	Status of management actions				
		Impl. (1)	Impl. ongoing (2)	Not impl. (3)	Superseded (4)	Confirmation as completed or no longer necessary (1)+(4)
01.20/21 Follow Up 1	16	11	0	3	2	13
02.20/21 GDPR	8	2	2	4	0	2
Total	24	13 (54%)	2 (8%)	7 (29%)	2 (8%)	15 (62%)

2 FINDINGS AND MANAGEMENT ACTIONS

Status	Detail
1	The entire action has been fully implemented.
2	The action has been partly though not yet fully implemented.
3	The action has not been implemented.
4	The action has been superseded and is no longer applicable.
5	The action is not yet due.

01.20/21 Follow Up 1

Original management action / priority Once the implementation of the Data Disposal Module has been undertaken and set timescales agreed, data will be periodically removed.
Medium

Audit finding / status It has been confirmed by the IT Systems Development and Support Officer that the Data Disposal Module is currently with the IT department to be installed - the timeframe for full implementation of the module has not been finalised.

3: The action has not been implemented

Management Action 1	Management action	Responsible Owner:	Date:	Priority:
	Once the implementation of the Data Disposal Module has been undertaken, and set timescales agreed, data will be periodically removed.	IT Services Manager	31 December 2021	Medium
	The Data Disposal Module is installed but the Data Retention Policy is not completed. Once this is in place, data can be removed in accordance with the policy.			

01.20/21 Follow Up 1

Original management action / priority Upon all Councillors receiving Microsoft Devices the Password Policy will be updated and circulated.
Low

Audit finding / status It has been confirmed by the IT Systems Development and Support Officer that the Password Policy has not been updated.
3: The action has not been implemented.

Management Action 2	Management action	Responsible Owner:	Date:	Priority:
	Once confirmation has been received that all Councillors have received Microsoft Devices the Password Policy will be updated and circulated. Guidance from NCSC has changed recently and passwords alone are seen as a small part of security. A policy is being produced for user security measures to include more secure methods of logging in such as two factor authentication and single sign on.	IT Services Manager	31 July 2021	Low

01.20/21 Follow Up 1

Original management action / priority On completion of the surveys of the sheltered accommodation and flats with communal facilities, the Stay Put Policy will be amended for each property based on the findings of the survey.
Low

Audit finding / status It has been confirmed by the Project Lead that the Council is still awaiting the full completion of the surveys for the sheltered accommodation. Once this has been undertaken the Stay Put Policy will be amended for each property.
3: The action has not been implemented.

Management Action 3	Management action	Responsible Owner:	Date:	Priority:
	On completion of the surveys of the sheltered accommodation and flats with communal facilities, the Stay Put Policy will be amended for each property based on the findings of the survey.	Interim Head of Housing Technical Services	31 July 2021	Low

02.20/21 GDPR

Original management action / priority	<p>The Information Asset Register will be updated and reviewed to ensure a complete and comprehensive record is maintained of all data held by the Council.</p> <p>Once completed, a process will be implemented to ensure that this central record resulting from the data audit is accurate and remains up to date to ensure that the Council continues to hold a comprehensive, accurate and up to date record of all the personal data held. This should be undertaken via regular data audits to capture any changes.</p>
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Audit finding / status It has been confirmed by the Data Protection Support Officer that the Council's Information Asset Register has yet to be fully updated and reviewed to ensure a complete and comprehensive record is maintained of all the data held by the Council.

We reviewed the Asset Register and noted that no defining changes had been made to it since it was reviewed at as part of the GDPR audit in August 2020.

3: The action has not been implemented.

Management Action 4	Management action	Responsible Owner:	Date:	Priority:
	<p>The Information Asset Register will be updated and reviewed to ensure a complete and comprehensive record is maintained of all data held by the Council.</p> <p>Once completed, a process will be implemented to ensure that this central record resulting from the data audit is accurate and remains up to date to ensure that the Council continues to hold a comprehensive, accurate and up to date record of all the personal data held. This should be undertaken via regular data audits to capture any changes.</p>	Data Protection Support Officer	31 December 2021	N/A

02.20/21 GDPR

Original management action / priority	<p>The Council will ensure that it produces a comprehensive, accurate and up to date record of all the personal data it holds and whether arrangements are in place for it to be shared with a third party.</p> <p>The Council will review all third parties identified and ensure that there is a corresponding Data Sharing Agreement in place where required.</p>
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Audit finding / status The Council maintains an Information Sharing Agreement Log (i.e. ISA register), which records what ISA's they maintain with third parties such as Public Health England and Lincolnshire Police.

02.20/21 GDPR

We have been provided with copies of the Data Sharing Agreements in place with three third parties identified on the log: Lincs 4 Warmer Homes Scheme, Safer Housing Partnership - Housing and Homeless Assistance and Restorative Justice Service Lincolnshire. Upon review, we noted that one of the three Agreements had not been signed by the Council.

2: The action has been partly though not yet fully implemented.

Management Action 5	Management action	Responsible Owner:	Date:	Priority:
	The Council will ensure that the copies of the Data Sharing Agreements in place at the Council are countersigned and dated by a representative from the Council.	Data Protection Support Officer	28 February 2022	N/A

02.20/21 GDPR

Original management action / priority Once the Information Asset Register has been fully completed, a dedicated staff member will be allocated to each data source as a responsible data owner.

Audit finding / status It has been confirmed by the Data Protection Support Officer that this action's implementation is dependent on the completion of the Council's Information Asset Register which we have been advised is currently still in progress. Once this has been fully implemented a dedicated member of staff will be assigned as a responsible owner to each data source.

3: The action has not been implemented.

Management Action 6	Management action	Responsible Owner:	Date:	Priority:
	Once the Information Asset Register has been fully completed, a dedicated staff member will be allocated to each data source as a responsible data owner.	Data Protection Support Officer	31 December 2021	N/A

02.20/21 GDPR

Original management action / priority The Data Retention Schedule will be updated, setting out standard retention periods for specific categories of data, based on purpose and business need.

Data should then be deleted on a cyclical basis in line with retention requirements.

The Council will ensure that it produces a comprehensive, accurate and up to date record of all data storage and retention locations, including back-ups.

Audit finding / status Through discussions with the Data Protection Support Officer we were informed that the Council's Data Retention Schedule has yet to be fully updated for each service area.

We reviewed a copy of the Schedule's review and noted that the retention periods had been updated for some service areas in September 2020, but not others. The areas updated include:

- Management and Administration
- Legal & Contracts
- Human Resources
- Financial Management
- Property and Land Management
- Planning and Land Use
- Infrastructure and Transport

We were informed by the Data Protection Support Officer that the Data Retention Schedule will be updated to set out the standard retention periods for the remaining service areas by the end of December 2021. It has also been confirmed that data will be deleted in line with retention requirements and the Council will ensure that it produces a comprehensive, accurate and up to date record of all data storage and retention locations, including back-ups, by the end of December 2021.

2: The action has been partly though not yet fully implemented.

Management Action 7	Management action	Responsible Owner:	Date:	Priority:
	The Data Retention Schedule will be updated for the remaining areas outstanding, setting out standard retention periods for specific categories of data, based on purpose and business need.	Data Protection Support Officer	31 December 2021	N/A

Data should then be deleted on a cyclical basis in line with retention requirements.

The Council will ensure that it produces a comprehensive, accurate and up

02.20/21 GDPR

to date record of all data storage and retention locations, including back-ups.

02.20/21 GDPR

Original management action / priority The Council will ensure that procedural guidance is in place for the actioning of all individual's rights documented within GDPR.

Audit finding / status We reviewed the Council's Procedural Guidance for Reporting Breaches, undertaking a Data Protection Impact Assessment and Protecting Personal Data and noted that this does not include any guidance for updating and deleting personal data at a departmental level, which was highlighted in the GDPR audit in August 2020.

3: The action has not been implemented.

Management Action 8	Management action	Responsible Owner:	Date:	Priority:
	The Council will ensure that the Procedural Guidance for Reporting Breaches, undertaking a Data Protection Impact Assessment and Protecting Personal Data are updated to include guidance for updating and deleting personal data at a departmental level.	Data Protection Support Officer	31 October 2021	N/A

02.20/21 GDPR

Original management action / priority Processes for seeking, obtaining and recording consent to handling individual's personal data will be identified. Once all methods are identified, they will be reviewed and updated in accordance with the requirements of the GDPR.

The requirements for consent processes under the new Act include:

- Explicit consent must be given for data collection, data usage and marketing; and
- Consent must be verifiable/subject to an appropriate audit trail.

The Council will ensure they maintain evidence of positive indication of agreement for personal data being processed i.e. this must not be inferred from silence, pre-ticked boxes, or inactivity.

02.20/21 GDPR

Audit finding / status The Data Protection Support Officer has confirmed that there are no specific processes in place at the Council for seeking, obtaining, and recording consent for handling individual's personal data. We have been informed by the Data Protection Support Officer that the Council is looking to develop these but currently have no estimated timescale for full implementation.

Additionally, the Data Protection Support Officer confirmed that the Council maintains a consent list for its Art Centres which both the Art Centres and Council's Communication Team rely on for verification. We have been provided with screenshots of where a new customer enters their contact preferences, marketing preferences and tags on 'SPEKTRIX' which feature on the consent list. SPEKTRIX is used by the Arts Centre as a linked piece of software to capture consent through the online ticketing system.

3: The action has not been implemented.

Management Action 9	Management action	Responsible Owner:	Date:	Priority:
	<p>Processes for seeking, obtaining and recording consent to handling individual's personal data will be identified. Once all methods are identified, they will be reviewed and updated in accordance with the requirements of the GDPR.</p> <p>The requirements for consent processes under the new Act include:</p> <ul style="list-style-type: none">• Explicit consent must be given for data collection, data usage and marketing; and• Consent must be verifiable/subject to an appropriate audit trail. <p>The Council will ensure they maintain evidence of positive indication of agreement for personal data being processed i.e. this must not be inferred from silence, pre-ticked boxes, or inactivity.</p>	Data Protection Support Officer	31 December 2021	N/A

APPENDIX A: DEFINITIONS FOR PROGRESS MADE

The following opinions are given on the progress made in implementing actions. This opinion relates solely to the implementation of those actions followed up and does not reflect an opinion on the entire control environment.

Progress in implementing actions	Overall number of actions fully implemented	Consideration of high priority actions	Consideration of medium priority actions	Consideration of low priority actions
Good	75% +	None outstanding.	None outstanding.	All low actions outstanding are in the process of being implemented.
Reasonable	51 – 75%	None outstanding.	75% of medium actions made are in the process of being implemented.	75% of low actions made are in the process of being implemented.
Little	30 – 50%	All high actions outstanding are in the process of being implemented.	50% of medium actions made are in the process of being implemented.	50% of low actions made are in the process of being implemented.
Poor	< 30%	Unsatisfactory progress has been made to implement high priority actions.	Unsatisfactory progress has been made to implement medium actions.	Unsatisfactory progress has been made to implement low actions.

APPENDIX B: ACTIONS COMPLETED OR SUPERSEDED

From the testing conducted during this review we have found the following actions to have been fully implemented and superseded.

Assignment title	Management actions
01.20/21 Follow Up 1	<p>Implemented</p> <p>The deed of variation extending the Building Control will be signed by South Kesteven District Council, Rushcliffe Borough Council, Newark and Sherwood District Council.</p> <p>Priority: Medium</p>
01.20/21 Follow Up 1	<p>Implemented</p> <p>a) Financial Services have performed reconciliations between 2018 and 2020. b) Data for 01.01.2021 – 25.05.2021 is currently being reconciled as at 27/05/21 the fees to date. Going forward it will be necessary to establish a robust and reliable method. This will require a process for identifying common data from the two back office systems to ensure that any reconciliation is accurate.</p> <p>Priority: Medium</p>
01.20/21 Follow Up 1	<p>Implemented</p> <p>The Customer Feedback Process - Compliments, Comments and Complaints Guidance Document will be reviewed to ensure it is reflective of current working practices.</p> <p>Priority: Low</p>
01.20/21 Follow Up 1	<p>Implemented</p> <p>The DOIs for 2020 will be completed and all declarations of interest will be blocked on Northgate.</p> <p>Priority: Low</p>
01.20/21 Follow Up 1	<p>Implemented</p> <p>Once the new Civica module has been implemented, refresher training will be provided on the use of Civica to ensure that responsibility and accountability in regard to FOI requests is understood.</p>

Assignment title	Management actions
	Priority: Medium
01.20/21 Follow Up 1	<p data-bbox="600 327 763 354">Implemented</p> <p data-bbox="600 363 1223 391">The Council, in regard to its website, will ensure that;</p> <ul style="list-style-type: none"> <li data-bbox="600 427 1778 454">a) The information required to be published by the Transparency Code for 2019/20 will be published. <li data-bbox="600 459 1868 544">b) The number of marked out controlled on and off-street parking spaces within their area, or an estimate of the number of spaces where controlled parking space is not marked out in individual parking bays or spaces will be published. <p data-bbox="600 580 792 608">Priority: Medium</p>
01.20/21 Follow Up 1	<p data-bbox="600 638 763 665">Implemented</p> <p data-bbox="600 675 1541 702">A flowchart will be produced to show the recruitment process from start to finish.</p> <p data-bbox="600 738 748 766">Priority: Low</p>
01.20/21 Follow Up 1	<p data-bbox="600 790 763 817">Implemented</p> <p data-bbox="600 826 1877 890">Departments who continually raise purchase orders retrospectively will reminded of the importance of raising purchase orders prior to receiving the goods.</p> <p data-bbox="600 927 792 970">Priority: Medium</p>
01.20/21 Follow Up 1	<p data-bbox="600 1005 763 1032">Implemented</p> <p data-bbox="600 1042 1727 1069">Management will ensure that the Emergency Lighting tests are completed before their due date.</p> <p data-bbox="600 1121 792 1149">Priority: Medium</p>
01.20/21 Follow Up 1	<p data-bbox="600 1189 752 1216">Superseded</p> <p data-bbox="600 1225 1877 1289">Upon the new Service Head coming into post it will be discussed with them the best way to progress with the completion of Fire Risk Assessments.</p> <p data-bbox="600 1310 1115 1337">The new adopted approach will ensure that:</p> <ul style="list-style-type: none"> <li data-bbox="600 1374 1473 1401">a) Fire Risk Assessments will be undertaken on completion of the surveys. <li data-bbox="600 1406 1839 1469">b) Going forward Fire Risk Assessments will be reviewed annually for all properties where one is required based on the structure and layout of the property.

Assignment title	Management actions
	<p>c) Where the use or layout of the building changes requiring a new Fire Risk Assessment these will be carried out and any arising actions implemented.</p> <p><u>Management comment:</u> It has been confirmed by the Interim Head of Housing Technical Services that this action will be picked up as part of the ongoing housing compliance actions moving forward.</p> <p>Priority: Medium</p>
01.20/21 Follow Up 1	<p>Superseded The Council is intending to implement a new Civica Module for the handling of FOI and complaint requests. Once the new module has been implemented, refresher training will be provided on the use of Civica to ensure that responsibility and accountability in regard to complaints is understood.</p> <p><u>Management action:</u> Management will ensure that where refresher training is provided on FOI and complaint requests to members of staff a detailed log is retained with the details of training undertaken and the dates training was provided.</p>
01.20/21 Follow Up 1	<p>Implemented The Expenses Policy will be reviewed and updated to reflect current working practices.</p> <p>Priority: Low</p>
01.20/21 Follow Up 1	<p>Implemented</p> <p>The Council is intending to implement a new Civica Module for the handling of FOI and complaint requests. Once the new module has been implemented, monthly management reporting of FOI's will be actioned.</p> <p>Priority: Medium</p>
02.20/21 GDPR	<p>Implemented The Council will review and update the Data Protection Policy to ensure it is reflective of current working practices.</p> <p>Priority: N/A</p>

Assignment title	Management actions
02.20/21 GDPR	<p data-bbox="595 260 763 288">Implemented</p> <p data-bbox="595 304 1834 368">GDPR training will be delivered to all staff members who have not completed the allocated online training course.</p> <p data-bbox="595 376 1850 440">Additionally, GDPR training will also be delivered to all Councillors who did not attend the previous training session in May 2019.</p> <p data-bbox="595 448 741 480">Priority: N/A</p>

APPENDIX C: SCOPE

The scope below is a copy of the original document issued.

Scope of the review

The internal audit assignment has been scoped to provide assurance on how South Kesteven District Council manages the following area:

Objective of the risk under review

To meet internal auditing standards, and to provide assurance on action taken to address management actions previously agreed by management.

When planning the audit, the following areas for consideration and limitations were agreed:

Areas for consideration:

We will review the eleven medium priority management actions agreed in the following Internal Audit reviews:

- 01.20/21 Follow Up 1
- 02.20/21 GDPR

Limitations to the scope of the audit assignment:

- Detailed testing will only be carried out on the medium priority management actions;
- We will obtain a management update in relation to low priority management actions, but no detailed testing will be carried out;
- We will not review the whole control framework of the areas listed above. Therefore, we are not providing assurance on the entire risk and control framework of these areas;
- Testing will be completed, where appropriate, on a sample basis over the period since actions were implemented or controls enhanced; and
- Our work does not provide absolute assurance that material errors, loss or fraud do not exist.

Debrief held 15 June 2021
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