

MOPAC and MPS Oversight Board 20 March 2019

Information Governance in the MPS

Report by: A.Reed, Director of Data, Information & Insight

1) Purpose of Paper

The purpose of this paper is to provide the annual update on information governance within the MPS.

2) Recommendations – that the Oversight Board:

- a) Review and acknowledge the challenges faced and progress made in the area of information governance and the preparations to implement introduce new capabilities to the MPS

3) Summary

- The MPS has addressed significant challenges that have stretched its information governance abilities this year.
- The MPS has reasserted its desire to increase investment in current and new data/information capabilities
- The MPS has a constructive working relationship with the regulators in the area of information governance; including the Information Commissioner's Office (ICO) and DARA
- This is an exciting year for realising a number of capabilities that will broaden to the way our governance can function

4) Information Governance

- a) Information governance in the MPS has traditionally been focused on managing information risk, assurance and compliance. It does this through a well-established forum, the Information Assurance and Security Board (IASB) which sits 6-weekly and is chaired by an Assistant Commissioner Ball in the role of Senior Risk Information Owner (SIRO). The purpose of the forum is to

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provide executive-level accountability and greater assurance that information risks are addressed.

- b) This year the MPS has made positive steps towards establishing broader data and information governance to cover our strategic approach to data and analytics (or wider use of data), ownership and opportunity and laying the foundation upon which an ethical framework for the use of data can be applied. Whilst this will reinforce our governance around compliance, it also provides a foundation to govern how we become a more transparent, open and ethical data-driven organisation. Key points to note are;
- The MPS has invested in a five year programme of work, the Information Futures programme, to introduce all the capabilities required to be a data-driven organisation
 - In October 2018, the MPS agreed to fund the first wave of the Information Futures Programme which will produce the strategies required to govern data (beyond compliance), analytics and data literacy of the organisation, establish an ethical framework for the use of data and present the design of a Data Office that, if approved later this year, will build in data governance across all MPS data assets and their use by the MPS, their partners and the public
 - In January 2019, the MPS appointed a new role; Director Data, Information and Insight to oversee current and future capabilities in anticipation of them transitioning to business as usual from the Information Futures programme. This role sits within Corporate Services and is managed under Strategy and Governance.
 - IASB will sponsor and oversee a Data Working Group as the embryonic governance forum to support the new Director of Data until the Data Office design is implemented. This avoids any delay in the way Information Asset Ownership, Data Quality and Assurance is managed MPS-wide

5) Risk Management Progress

- a) Over the last year information management has remained on the Corporate Risk Register. The risk is defined as:

“Poor information management leading to a lack of knowledge of what information we have and where it is stored, resulting in our information not being trusted, accessible, useable or legally compliant”.

- b) Our progress to control this risk has been reviewed at the most recent Risk and Assurance Board and found that due to a number of external and internal factors over the last year, new controls are required. Some of these factors are:
- Since May 2018, the MPS has seen an unprecedented rise in demand for Data Protection Act requests (largely Right of Access requests that entitle

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individuals to find out if an organisation is using or storing their personal data) and Freedom of Information Requests. This demand rise has been seen across private and public sector organisation alike and is correlated with the significant awareness campaigns run around GDPR that have raised the public's knowledge of its rights under DPA (2018). Whilst the last Annual Governance report anticipated a rise, the rate of increase has been unprecedented. This has meant that we have faced real challenges with our compliance to turn around request within the statutory time frames.

- In November 2018, the MPS received an Enforcement Notice for contravention of data protection principles in its use of the Gangs Violence Matrix (GVM). As well as the ICO review, Amnesty International raised concerns about the use of the GVM and the MOPAC review of the GVM was published in December 2018 too. We are now implementing a number of measures to make sure that we can comply with the requirements of the enforcement notice and the MOPAC review.
 - In January 2018, the European Court of Human Rights issued the “Catt Judgement”. This relates to a request made in March 2010 by a peace activist named Catt, He made a Data Protection Act 1998 (DPA) Subject Access Request (SAR) to the Metropolitan Police Service (MPS) for personal information held about him. He wished his records to be deleted. After a series of UK and ECHR appeals. The ECHR found that the MPS collection of information on an individual was justified. It found that the way it managed the information and the lengthy retention was not justified and required that the MPS delete records relating to Catt.
 - There has been a significant turn-over of staff with experience and training in the area of Information Law in the last year; albeit this has stabilised in the last two months with the appointment of a new Data Protection Officer and team.
- c) The learnings from the GVM and the Catt Judgement have informed our organisational learning about data and information governance and focused our efforts on the immediate and medium term data capabilities required to avoid such judgements in future and make sure our service to the public is exemplary.
- d) In January 2019, the IASB asked for a review of the Gold Group approach to compliance to more effectively manage the back-log of overdue DPA requests in light of the increased demand. This has been shared with the Information Commissioner's office and is part of ongoing discussions. 79% of current cases still remain over the 30 day statutory limit; this is about 1300 cases (we started at around 500). Since the backlog issue started being addressed, the demand for DPA requests has risen by 68%¹

¹ Correct as of February 2019

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- e) In addition to the compliance review by IASB, the Risk and Assurance Board, asked for a review of the current controls of the risk at 5) above to redress any new controls that may be required.
- f) The MPS has reasserted its desire to manage this risk and has set in motion the following controls – in advance of the work already commissioned on its Information Futures Programme;
 - A critical control that should be in place to address wider issues is the completion of an Information Asset Register (IAR). More resources will be placed into this so that we can have confidence about what we hold and how it is governed
 - Immediate investment of resources will address our back-log of DPA requests.
 - Immediate investment of resources will introduce a data management capability so that the broader data governance outlined at 4b) above can be supported and we can improve our use of data; and subsequently our compliance.

6) Audits

- a) In 2017/2018 DARA conducted an audit on the MPS's preparation for GDPR and LED, it concluded we had an adequate framework. This year has seen ongoing work to address the findings and recommended actions' DPA (2018) is now live and the framework has been tested. We expect to improve our work in this area as a) resources area applied to the IAR and b) we build the capabilities of the Information Futures Programme. To note; we will be subject to a further DARA audit in this area commencing this month.
- b) In February 2019, DARA concluded an audit on end-user systems. It found that we had limited controls in place, again much of this related to our incomplete IAR that has been the subject of recent focus and support at Risk & Assurance Board.

7) MPS engagement with the Regulators

- a) Information Commissioner: The MPS continues to have a constructive working relationship with the ICO that involves regular meetings and contact with the Group Manager, Police Justice & Borders and members of her team. This relationship means that we are able to discuss issues and trends in a very open and productive manner. This relationship also gives the ICO confidence that the MPS is a willing partner in the area of information compliance. The Commissioner has met with the ICO this year and a further meeting is planned in April 2019.

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- b) Investigatory Powers Commissioner's Office: MO5 Covert Governance as the contact point for this body, communicating on a daily basis to manage authorities and also on an annual basis to manage their inspections with the organisation. MO5 also manage the investigation of any breaches of the legislation, conducting a review of the activity and implementing any required process changes. Met Operations Business Group also carry out internal reviews and inspections throughout the year.

8) Future Opportunities with data and information

- a) The Commissioner's new Met Direction Strategy launched in January 2019. It has seven priorities. One of these is "*Seize the opportunities of data and digital tech to become a world leader in policing*". The Strategy acknowledges that our ability to use data and information effectively and efficiently is critical for our safety and the public's. It also asserts that rising to the challenges and opportunities of a digital age will require investment and commitment. Investment already agreed and underway.
- b) This year the Information Futures Programme will deliver the MPS a number of foundation capabilities that will unlock significant potential to use our data more effectively for police decision-making, public access to the data we hold and partnership collaboration and sharing. This includes:
- A Data Strategy, an Analytics Strategy and Talent Strategy. This will include an ethical framework for the use of data. These will initially be managed under the IASB governance forum until a Data Office is built (if approved)
 - A Data Archive to allow us to place compliant data in so we can remove legacy systems before our integrated technical solution (connect) arrives in 2020.
 - A Core Data Framework that articulates, alongside the IAR, which data sets are critical to focus investment in; for example Data Quality initiatives or decommissioning of expensive and/or redundant applications
 - Proof of Concepts that show how small, data and analytics initiatives can make incremental gains towards being data driven
 - Design for a Data Office that will house current and new data capabilities to reinforce a) data/information governance and b) take the opportunities that good, quality, relevant data presents
- a) We are working closely with national colleagues on the National Police Chief's Council on Information management headed by Commissioner Ian Dyson, City of London Police.
- b) We are engaging with National work funded by the Home Office Police Transformation fund that seeks to apply a National Data Analytics Service, led by West Midlands Police.

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- 9) **Conclusion** – This is a really important and exciting year for the MPS as it reinforces its controls on current risks and builds a new range of capabilities that will enable us to be truly data driven in an open, ethical and legally compliant way.