

## Priority 1 recommendations raised since November 2018

## Annex 3

	<b>Finding/Associated Risk</b>	<b>Recommendation</b>	<b>Management Response</b>	<b>Target Date</b>
1	<b>GDPR Compliance Review</b>			
1.1	<p><b><u>Overall Finding</u></b></p> <p>Our review found that both RBK and LBS had allocated significant resources to facilitate GDPR compliance; and there was evidence of effective compliance. However, progress across RBK and LBS was variable and further work is required to enable the Councils to demonstrate compliance particularly in formalising policies and procedures. Some of the key areas where action is required are as follows:</p> <ul style="list-style-type: none"> <li>• An Information Asset Register has been compiled however this was not complete at the time of the audit;</li> <li>• Policies for the retention and disposal of personal data had been established however retention schedules were found to be incomplete with some data being held for longer than specified;</li> <li>• A mandatory e-learning training programme had been rolled out to staff on information security however not all staff had completed this</li> </ul>	<p><b><u>Main Recommendation</u></b></p> <p>RBK and LBS to carry out the further work required to demonstrate full compliance with the GDPR.</p> <p>Output/progress should be reported to the Information Security and Governance Boards (ISGB) and to Directors by the DPO to ensure that GDPR remains a priority and that the DPO is provided with sufficient resource to discharge their duties, as advised by the Information Commissioners Office (ICO).</p>	<p><b><u>Responsible Officer:</u></b></p> <p><b><u>AD, Digital &amp; IT</u></b></p> <p>The majority of the recommendations have now been completed or are ongoing actions. Training for staff has been completed and role specific training has taken place. An Information Governance Network has been established to ensure that we continue to develop and action IG work across the Councils. We are reporting to the ISGB already and to SLT/CMT.</p>	Ongoing

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	<ul style="list-style-type: none"> <li>• There was inadequate evidence that the Council was routinely obtaining assurance from partners e.g. AfC that they were complying with GDPR;</li> <li>• The review of contracts to ensure that terms and conditions are compliant with GDPR had not been completed;</li> <li>• The Data Protection Impact Assessment (DPIA) had not been conducted as a number of processes were still to be finalised and operational guidance issued;</li> <li>• Procedures for ensuring that appointed sub-processors provide sufficient guarantees that the requirements of GDPR will be met had not been finalised.</li> </ul> <p><b><u>Overall Risk/Implication</u></b></p> <p>Failure to comply with the GDPR can result in RBK and LBS being subject to substantial financial penalties</p>	<ul style="list-style-type: none"> <li>•</li> </ul>		

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2	<b>Staff training and Development</b>			
2.1	<p data-bbox="306 247 866 279">Mandatory Training Completion</p> <p data-bbox="306 311 866 1364">There was a rather inconsistent and fragmented approach to the monitoring of staff progress in completing learning and development activities. For example, the RBK Evolve Learning &amp; Development system had the functionality to generate progress reports in respect of each training module. However, these reports were usually only produced at the request of e-learning owners, HR Business Partners or Directorate Management Teams, rather than being a routine centrally driven requirement. Also the extent and effectiveness of follow up remedial action taken when training was not completed promptly or, indeed, at all was variable. This was of particular significance in respect of mandatory training, such as that associated with data protection. For example, progress reporting on “Data Protection Awareness &amp; Information Sharing” training indicated that a significant proportion of staff had either not started or had only partially completed this; and a current management report on GDPR e-learning not only revealed that a substantial number of staff had only partially completed its five modules, but also the report did not include those staff who had not even started this mandatory training</p>	<p data-bbox="884 247 1305 678">Staff progress towards completion of mandatory training to be routinely reported to e-learning owners, HR Business Partners and/or the Directorate Management Teams as appropriate. Late completion, or failure to complete, mandatory training to be routinely and effectively followed up in accordance with clearly specified remedial action procedures.</p>	<p data-bbox="1323 247 1767 821">Managing staff completion of the mandatory training is primarily the responsibility of line managers and the staff themselves, not L&amp;D. That said, L&amp;D will:</p> <p data-bbox="1323 454 1767 550">(a) ensure there is SLT buy in for existing compulsory e-learning (see earlier action) and</p> <p data-bbox="1323 582 1767 821">(b) provide monthly reports by the end of each month, to be circulated to DMTs via HR BPs that detail: staff that have completed – and staff that have not completed compulsory e-learning.</p>	<p data-bbox="1780 247 2056 279">From January 2019</p>

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	Risk/Implication: The effectiveness of learning and development progress monitoring is variable and consequently degrades the assurance that completion of mandatory training should provide. Inadequate staff			
	training increases the associated risk of staff failing to comply with RBK policies and procedures and with external legislation. In the context of data protection, for example, this could lead to RBK suffering unwelcome, but avoidable, substantial fines.			
3	<b>Adult Social Care Income</b>			
3.1	<p><b>Procedural Documentation</b></p> <p>RBK Adult Social Care income documented procedures were incomplete and required updating and management approval. A particular weakness concerned the operation of a spreadsheet that is used, in the absence of an IT interface, as a key stage in the process for generating invoices on Agresso in respect of the many non-residential clients. There was no procedural documentation for this spreadsheet, which was operated by just one member of staff; and who was the only person with the knowledge to perform this function.</p>	<p>RBK Adult Social Care income documented procedures to be completed, updated, approved by management and made available to all relevant staff. This should include the operation of the spreadsheet being used in lieu of an IT interface.</p>	<p>The Adult Social Care department is currently leading a project to review and update its homecare recording procedures, to bring these within the Controcc ICT system. This will provide a single source of data for budget forecasting, payments to providers and billing to service users. The project has three main streams of work. This is an income generation procedure and that responsibility lies with the Adult Social Care service (Adult Social Care Commissioning).</p>	<p>Project to complete by 31/3/2019.</p>

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3.1	<p><b>Risk/Implication</b> There is an increased risk that RBK Adult Social Care income procedures may be applied incorrectly, inconsistently and ineffectively. Errors may go unnoticed and there may be business continuity implications in the event of the one member of staff (with knowledge of the system) leaving the Council.</p>		<p>Whilst the AR Team are currently amending data (on behalf of ASCC service) the service does need to take responsibility and ownership for their charging policy and raising of invoices through IAS/Controcc and an interface into Agresso. This would resolve any discrepancies between the two systems.</p> <p>The remit of the AR Team is purely the debt collection function. The requirement to urgently implement the interface will negate the need for written procedures on current workarounds.</p> <p>Firstly, the project will review and improve current arrangements whilst the process of transitioning to IAS/Controcc takes place. This will ensure that documentation and resilience are in place during the transition period.</p> <p>Secondly, the project will implement an ICT-based process for receiving files of actual service delivery from care providers, allowing Controcc to generate a single source of actuals-based data. This single</p>	

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			<p>source will allow us to generate forecasts, payments and billing from the same dataset. Initially, payments will be implemented in a phased approach.</p> <p>Thirdly, the project will implement the interface between IAS/Controcc and Agresso for AR items, allowing a full move away from the manual processes.</p> <p>The project will provide full documentation for the end-to-end process and remove the reliance on a single individual and using manual spreadsheets and processes for reconciliation.</p>	Project to complete by 31/3/2019
3.2	<p><b>nvoice Generation</b></p> <p>There is a control weakness in the manual process required to upload non-residential client invoicing data to Agresso. This process involves the operation of a spreadsheet by the only member of staff who is familiar with this procedure. To minimise the risk of error, a Controcc/Agresso IT interface is required for non-residential cases in the same way as residential ones.</p>	<p>RBK to introduce a Controcc/Agresso IT interface for the generation of non-residential client invoices. In the interim, management should satisfy themselves that the manual process works effectively and consider introducing a spot check of data input to Agresso regarding non-residential cases</p>	<p>See management response on section 1 above. The project mentioned will provide the required Controcc/Agresso interface and improve the current manual processes to meet the recommendations given. Invoice generation lies with Adult Social Care / Commissioning, although we fully acknowledge that there needs to be an interface from Controcc to Agresso.</p>	<p>The overall project is aimed to end on 31/3/2019. However the section where current processes are to be reviewed will complete on 30/11/2018.</p>

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3.2	<p><b>Risk/Implication</b></p> <p>The use of a spreadsheet, operated manually by just one person, increases the risk of erroneous data being uploaded to Agresso and the consequent generation of incorrect invoices.</p>	.		
3.3	<p><b>Income Generation &amp; Collection</b></p> <p>Adult Social Care Finance routinely monitor actual income against that forecast based upon client Financial Assessment data. Their review of the position at the end of 2016/17 indicated that actual income was some £270k less than expected.</p>	<p>RBK to improve the effectiveness of income generation and collection. This could be achieved through, for example, the introduction of a Controcc/Agresso IT interface for non-residential clients (see rec 2). Invoice Generation</p>	<p>The process of invoicing on actuals using Controcc will mitigate any overestimates of income based on commissioned rather than actual hours. Please see the response to section 1 for more details on the project working on this.</p>	31/3/2019
	<p>However, a further comparison, on a similar basis, at the 2017/18 year end suggested that some £50k more had been received than forecast. This variable discrepancy may be due to the invoice generation control weaknesses identified in Finding 2 above; and it is still indicative of ongoing incomplete or late generation and collection of income.</p>	above		

**Achieving for Children (AfC) – Summary of Priority 1 recommendations**

<b>Audit</b>	<b>Audit Year</b>	<b>Assurance</b>	<b>Priority 1</b>	<b>Priority 2</b>	<b>Priority 3</b>
<b>Coombe Hill Junior</b>	<b>2018/19</b>	<b>Substantial</b>	<b>3</b>	<b>9</b>	<b>1</b>

Three Priority 1 issues were identified in this audit:

- Recruitment checks – A review of 5 staff files identified 1 file with a missing 'right to work' check and 1 file where references had not been received from the two most recent employers and no reason for this had been recorded.
- Procurement – sample testing identified 3 sole traders/individuals paid via invoice where no IR35 check had been completed.
- Lettings- at the time of the review the school did not have a lettings policy or an agreed scale of charges. Sample testing also identified 1 case where no insurance details were held and one case where the let was unpaid.