

NORTH LANARKSHIRE COUNCIL

REPORT

To: CORPORATE SERVICES COMMITTEE		Subject: SCOTTISH GOVERNMENT CONSULTATION: IDENTITY MANAGEMENT AND PRIVACY PRINCIPLES
From: HEAD OF CENTRAL SERVICES		
Date: 20 October 2009	Ref: JAF/IL	

1. Background

1.1 As part on ongoing work with regard to privacy and public confidence in Scottish public services, the Scottish Government is consulting on draft identity management and privacy principles. The deadline for response is Monday 23 November 2009 and a copy of the consultation paper has been deposited and may be viewed in the Members' Library.

2. Consultation Paper: Principles

2.1 The draft principles cover five sub topics.

- Proving identity and entitlement;
- Governance and accountability;
- Risk management;
- Data and data sharing;

and

- Education and engagement.

2.2 The consultation document contains a number of detailed proposals – but underlying the consultation document, and covering all five topics, are the following fundamental principles:

- that personal information should not be obtained unless it is absolutely required;
- that personal information should not be retained longer than necessary;
- that personal information should not be held in a centralised database but, rather, in separate data stores relevant to the specific business purpose for which it was obtained;

and

- that personal information should be used only for the purpose for which it was obtained and should not be shared unless strictly necessary – and, even then, only on the basis of informed consent or overriding legal justification.

Those principles accord with the principles adopted by the Council, but the consultation paper is useful in confirmation of the Council's approach.

2.3 The consultation paper poses, also, a number of specific questions. Of these, the majority relate to the clarity of the document. In addition, however, a number of specific suggestions are made which will require corporate consideration by the Council. These include

- a Privacy Impact Assessment being required prior to the implementation of a project which involves collection of personal information;
- extension of the use of encryption for the storage and transmission of personal information;
- demonstrable restriction of access to personal information;

and

- a requirement for the provision of quick, simple and effective means whereby individuals can access information held about them – it being suggested that this might include secure electronic access to check and correct such personal data.

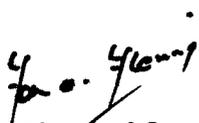
These issues raise a number of practical considerations which, in addition to corporate consideration by the Council, merit coverage as part of the Council's response; in particular, it remains uncertain that the current national infrastructure functionality is capable of meeting the last of those suggestions.

3. **Proposal**

3.1 It is proposed that authority be delegated to the Executive Director of Corporate Services, in light of the foregoing – and of comments received from other Services of the Council, to respond to the consultation paper and to initiate corporate consideration of the issues raised.

4. **Recommendation**

4.1 It is recommended that the Committee approve the foregoing proposals with regard to the Scottish Government consultation paper on identity management and privacy principles.


John Fleming

Head of Central Services

Members seeking further information on the contents of this report are asked to contact John Fleming, Head of Central Services on Extension 2228.