

NI Practitioners' Group on Freedom of Information

Minutes of a Meeting held in Castle Buildings on

Thursday, 2 September 2010 at 10:00am

Attendees

Bernard McCaughan	IMCAB, OFMDFM
Brenda Marson, Departmental Information Manager (DIM)	DEL
Colin McWhirter, DIM	DARD
Dave Brittain, DIM	DOE
David Crabbe, DIM	DRD
David Huddleston	PRONI
David Lammey (Chair) Information Manager	Head of IMCAB, OFMDFM DOJ
Jeff Burns, Acting DIM	DHSS&PS
Karen McCready	DFP
Lynne Davison, DIM	OFMDFM
Tom Gwyn, DIM	DETI
Willie Elliott	DE

1. Apologies / Minutes of Previous Meeting

1.1 Apologies

1.1.1 Paul McAllister, DCAL, and Imelda McConnell, DSD, sent their apologies.

1.2 Minutes of Previous Meeting

1.2.1 The minutes of the previous meeting held on 3 June 2010 were agreed, and will be placed on the OFMDFM website for public access. **Action: IMCAB**

2. Matters Arising (from previous minutes)

2.1 Paragraph 3.1: Data Protection Briefing – Practitioners were advised at the last FOIPG meeting that Ken Macdonald, Assistant Commissioner, ICO, was willing to deliver a Data Protection Briefing. This Briefing was held on 27 July 2010 in Castle Buildings and was attended by all thirty-three representatives invited. In addition, to the all NI Departments, HSCNI, HSENI, InvestNI, NI Tourist Board, NI Assembly, NI Water and RQIA were represented. Feedback from the briefing was very positive.

2.2 Para. 3.2 – New Information Commissioner – It was reported in the last minutes that the new Information Commissioner, Christopher Graham, had accepted an invitation to speak to the Permanent Secretaries' Group on 10 September 2010.

This speaking engagement will now take place on 22 October 2010. Ken Macdonald, Assistant Commissioner, will also be in attendance.

- 2.3 Para. 3.6 – Quarterly Meeting with ICO – A note of the meeting between ICO and IMCAB on 27 July 2010 was sent to DIMs on 18 August 2010. Practitioners were advised that ICO had been reminded that Departments need to be informed of cases informally resolved, and that guidance or direction regarding the handling of ‘scanned signatures’ was requested. IMCAB had also covered the business reasons for central access to all requests and ICO had responded positively. It was noted too that the communication to DARD staff regarding the issue of requests for information being included in official correspondence had been discussed. ICO was content. The note would be issued to Practitioners and to Trade Union Side for information. Finally, ICO suggested that Departments should use a fair processing notice on access to information request forms (on their respective websites) to alert requesters to the occasional need to share their details.

Action: Colin McWhirter to issue note.

Action: IMCAB to draft a notice for consideration.

- 2.4 Para. 4.2 – FOI Workflow Managed Service Issues – The Group was advised that this matter would be covered in more detail under item 6 of the Agenda.
- 2.5 Para. 5.6 – Access to Information Training – The Training sub-group had been tasked with reviewing the eleven courses previously specified, with a view to rationalising them and prioritising training that could be delivered by Practitioners. This issue and related matters would be covered at item 5 of the Agenda.
- 2.6 Para 6.1.2 – FOI Act Section 4 Orders – At the last meeting Departments were reminded to make ‘nil’ returns or advise IMCAB of bodies to be added to, or removed from, Schedule 1 by 16 July 2010. IMCAB made a composite NICS return on 30 July.

3. Review of European Data Protection Directive: Call for Evidence

- 3.1 David Lammey outlined the ‘Call for Evidence’ commissioned by the Ministry of Justice on 6 July 2010, and sought feedback from Departments about their experiences working with the European Data Protection Directive (95/46/EC) and the Data Protection Act (DPA) 1998 over the last decade. He also sought comment on the Ministry of Justice’s Provisional Post-Implementation Review Impact Assessment of the DPA. The information would help inform the UK’s government’s position for a new EU data protection instrument. The negotiations are expected to start in early 2011. He reminded Practitioners that the Call for Evidence closes on 6 October 2010 and as IMCAB is facilitating a single co-ordinated response – at the request of the Permanent Secretaries Group – asked that Departments provide input by 15 September 2010. Practitioners agreed to supply evidence on the key themes.

Action: Departmental Information Managers/IMCAB

4. Enterprise Shared Services and Access to Information Compliance

- 4.1 It was agreed to discuss the drafting of a NICS protocol regarding the reporting of data protection breaches when John Morgan, DIM, DFP (the Agenda item proposer), returns to work. The formation of a sub-group was mentioned as a possibility. **Action: IMCAB / John Morgan**

5. Access to Information Training

- 5.1 IMCAB had provided an update to DIMs on 3 August 2010.
- 5.2 David Crabbe delivered an update on the workshops, held on 4 and 13 August, to produce Tier 1 course material. He expressed his thanks to all involved, and advised that the 'Handling Requests for Information' course required some further work to complete the course outline and slides. **Action: David Crabbe**
- 5.3 David Huddleston advised that he had submitted the 'Introduction to Records and Information Management' course outline to Centre for Applied Learning (CAL). He also advised that the course slides were almost complete, and that a Trainer's Brief would be completed shortly. **Action: David Huddleston**
- 5.4 Bernard McCaughan advised that he had submitted the 'Access to Information Foundation' course outline and slides to CAL. The Group working on this course had sent CAL a draft outline of the Trainer's Brief. Working was continuing on the preparation of a quiz, and guidance to be included in the Course Candidate pack. **Action: John Morgan**
- 5.5 The Training sub-group met on 28 August 2010. It anticipated that applications for Tier 1 training would be significant. It was agreed that David Lammey would take the lead in preparing course material for the 'Internal Reviews and ICO Appeals' course, which was to be delivered jointly with the ICO. **Action: David Lammey**
- 5.6 David Lammey advised that he would seek clarification regarding the cost of courses with CAL. **Action: David Lammey**
- 5.7 It was agreed that the Training Commissioners' Group (TCG) should be reminded that applications for training must have the approval of respective Departmental Information Managers. It was also agreed that TCG should be asked to identify demand for Tier 2 courses, though Practitioners noted that Tier 1 courses were the immediate priority. **Action: David Lammey**
- 5.8 David Lammey advised that Corporate HR, DFP, and TCG were keen to ensure that Practitioners do not lose sight of urgent needs in relation to the Tier 2 courses. He also advised that he would contact the ICO about the delivery of the 'Applying Data Protection In-Depth', and 'Auditing Data Protection' seminars. The seminars would plug the gap in training until the new Access to Information training contract was in place. **Action: David Lammey**

5.9 As regards the new training contract, CAL had advised that nothing was required from Practitioners at present.

6. FOI Workflow – Managed Service Issues

6.1 Bernard McCaughan delivered an update on FOI Workflow – Managed Service issues arising from the last Project Board meeting and/or from the previous Practitioner meeting.

- On 20 August IMCAB sent to Steria Departmental contact names for the purpose of creating a distribution list to be used when updating Departments about Workflow issues;
- ‘Adhoc report’ views were restricted so that Departments would only see their own information, as per the Singularity upgrade in mid-July;
- Steria advised that it was not possible to revise the function for reminding Workflow Administrators to re-start ‘suspended jobs’ from the current default position without an associated cost. Practitioners agreed that a revision should not be pursued because Users can and should be searching for ‘suspended jobs’ as a matter of course. DIMs were asked to remind their Administrators that they should be carrying out regular searches for ‘suspended jobs’.

Action: DIMs

- Regarding the issue of ‘closed cases’, Steria would ascertain from Singularity if there would be any impact on the Workflow should cases be deleted manually.
- It was agreed at the last meeting that it would be useful to have a workshop for Users to discuss any technical issues and other performance matters. This has been arranged for 14 September 2010.

Action: Bernard McCaughan

7. Any Other Business

7.1 Shared Container for Responses

It was agreed that the TRIM container created for the purpose of sharing – on an NICS-wide basis – Departmental responses to round robins requests should be deleted, as it is not being used.

Action: Bernard McCaughan

8. Date of Next Meeting

8.1 The next meeting is scheduled for Thursday, 2 December 2010 in the Conference Room (E4.02) Castle Buildings at 10.00 am.

Meeting concluded at 12:30pm.