

## Deviation from GMICT Policy Procedure

Reference: GMICT R 0004

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### Purpose

To outline the process undertaken for requests within Public Administration to deviate against a requirement within a GMICT Policy.

### Scope

This Process covers requests, lodged via an online means established by the Agent, to deviate against a requirement within a GMICT Policy.

It applies only to GMICT Policy and to whom such Policy is applicable.

This Process **shall not cover** any requested deviations with respect to:

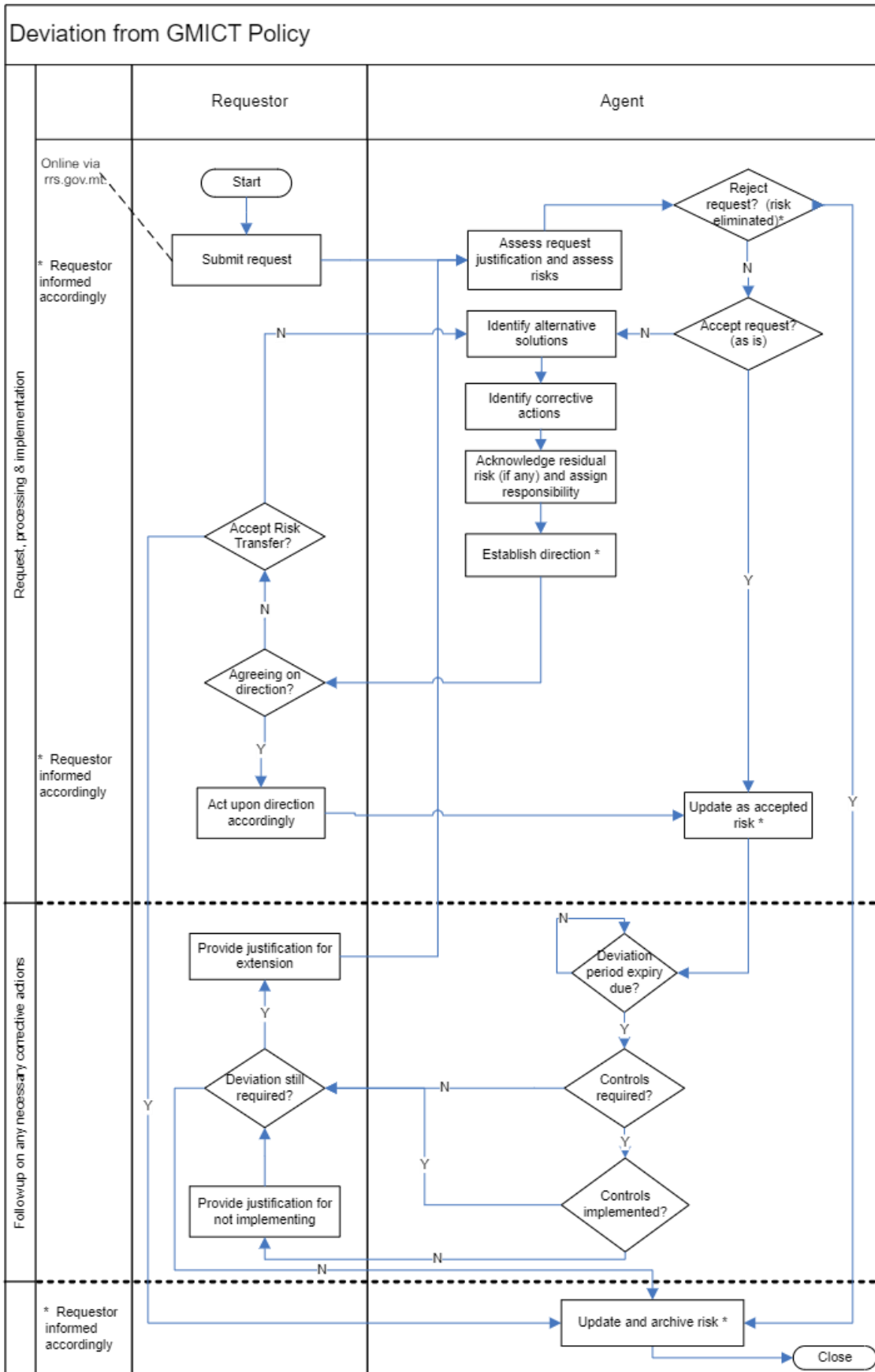
- (i) **legislation** which may be referred to within the Policy. Any related requests are to be referred to by the requestor to the relevant competent authorities.
- (ii) **GMICT Workstation Policy** – which is already being dealt with under a specific related process.

### Definitions

Underlined terms are defined in the **Vocabulary** (GMICT X 0003).

### The Process

Refer to the following page.



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## Salient Points

1. The **inability not to comply with a Policy requirement** may entail **a risk** for Government that needs to be handled accordingly. The nature of risk entailed may be one or more of the following:
  - Security
  - ICT architectural
  - Operational
  - Reputational
  - Political
  - Any other that may compromise the confidentiality, integrity and availability of Government information and/or services.
2. The Requestor is whoever is raising the need for deviation from a Policy requirement within Public Administration. The Requestor could be the CIO or an appointed representative. It shall be assumed that Requests lodged by any other role within Public Administration shall have been previously endorsed by the CIO or the appointed representative responsible for the remit under whom the requestor falls. **It is expected that prior to submitting any request, all alternative options, within the Requestor's control have been considered.**
3. The tool currently used to raise and handle such requests is the **Risk Register System**, which can be found at <https://rrs.gov.mt> or <https://risk.gov.mt>.
4. The Agent shall be processing the request, including assessing the risk that it may entail.
5. The Agent shall **not process any requested deviations against legislation which could be referred to within GMICT Policies and which do not fall under its remit.** Examples of legislation that are referred to include, but are not limited to, Data Protection and Accessibility. Such requests go beyond the Scope of this Process, as highlighted earlier.
6. A request for deviation from Policy does **not imply** exoneration from **all** Policy requirements. Hence the request needs to clearly **indicate which Policy statement is there the need to deviate from.**
7. Furthermore, **the request needs to be justified with a sound business case**, which includes the **type of risk being incurred** (as identified above) and with any other sufficient information to facilitate assessment.
8. The online means as indicated in the process or as may be communicated by the Agent is the official tool to be applied for lodgement of such requests. Reference is made to the user manual on how to lodge a request for deviation from policy.
9. **Throughout the entire process, such online tool shall be applied accordingly**, also recording the risk status, any corrective actions, any duration of deviation from policy and any justifications as applicable.
10. The **lodgement of a request for deviation from policy does not automatically imply that it is accepted.** Furthermore, a request that is not initially rejected by the Agent would entail further processing.
11. Assessment by the Agent **may involve one or more relevant internal specialists for the appropriate decisions** to be taken accordingly. When necessary, the Agent may also **request further information from the requestor** during the assessment.

12. The Agent may **accept the request for deviation for a period of time** without the need for processing as outlined in the following point.
13. The Agent may identify **alternative solutions**, identify **controls** and **acknowledge any residual risk** and **assign responsibility** accordingly. This should lead to the direction to be communicated by the Agent to the Requestor.
14. The Requestor may, **for justifiable reasons, not be in a position to concur with such direction**. In such case, the Agent **may iterate the processes** as identified in the previous point.
15. The Requestor may, **alternatively, in collaboration with the Agent, assume responsibility for the risk being incurred**. In such case, the risk is deemed as transferred to the Requestor and the request is closed.
16. Acceptance of the direction given by the Agent implies that the requestor may need to follow a number of parameters accordingly. Such parameters may include controls that need to be taken to reduce the risk as well as duration for such deviation. Such duration depends upon the context of the particular case for which the deviation has been requested.
17. Upon expiry of any deviation period granted, the requestor, **shall need to provide written justification should an extension to such period of time be required**. The Agent shall then re-assess accordingly, and may **or** may not accept the request
18. **Prior to closure of a request for deviation, the Agent may verify whether any controls requested have been implemented accordingly**. If not, the requestor shall need to provide a **written justification** accordingly.
19. Closure also implies that the electronic record of the processed request for deviation is updated (in terms of the risk it carried) and archived accordingly.

## Issuing Authority

This document has been issued by the **Malta Information Technology Agency**.

## Contact Information

Government ICT Policies may be found at <http://ictpolicies.gov.mt>.

Any suggestions, queries or requests for clarification regarding Government ICT Policies may be forwarded to [ictpolicies@gov.mt](mailto:ictpolicies@gov.mt).