

Looking ahead, staying ahead

Towards a 2020 vision for information rights

1. Introduction

The Information Commissioner's Office (ICO) is the regulator for information rights – the right to privacy and the right to know. As the issues around data and the right of access to official information become ever more significant to the work of public, private and third sectors, the ICO has been reviewing its own role and impact. We've been considering what will be required of us over the next period and what we might do differently - and we want to hear from our customers and stakeholders about our ideas. This publication sets out our proposed direction for the ICO for the next five years and beyond.

Three main challenges

The ICO faces a series of challenges under three main headings. First, we're in the growth business. Information rights are of growing importance in the public mind, prompted by developments in technology, business and public policy. That means we're busier than ever. But, secondly, we are facing a funding crunch just as our resources are stretched to the maximum. And thirdly, the regulatory landscape with which we deal is undergoing profound change, but the nature of that change is not yet clear in any detail, nor is the timetable against which it is to be implemented.

It's good to be busy and to be in demand. Citizens and consumers turn to us. Government wants to involve us in policy initiatives. That's not surprising, given the centrality of data and information to so much of what we do – at home, at work, learning, socialising, shopping, managing our finances, accessing public services. Information is the currency of democracy, but our data is the currency of the internet too. Government is responding to the explosion of digital by developing new services and new approaches. So the ICO's workload is growing – dealing with complaints, investigating criminal and civil breaches, enforcing compliance, offering guidance, engaging with policy. Send for the Information Commissioner!

Better for less

Like any public body, the ICO needs to do better for less. We have to be ever more efficient, and focused on the key priorities. But we're less able to respond effectively to the growing demand for our services due to the out-

dated way in which the ICO is funded – part by grant-in-aid for our freedom of information work and part by a notification fee system for data protection. Grant-in-aid has been cut by a third since 2010 and the cuts go on. The notification system is due to be ended under proposals for a new EU Regulation on data protection. But our immediate problem is our inability within a relatively modest budget to be able to move our funds between our various information rights responsibilities.

Planning is made more difficult by the level of uncertainty that surrounds almost everything the ICO has to deal with. What's to be the final shape of the EU Regulation? When will it be finalised? When will it come into force? How will the Leveson proposals relating to data protection and the press be taken forward? And when? What about freedom of information following the post-legislative scrutiny exercise? Can we expect moves to discourage the so-called 'industrial-scale' use of freedom of information? What might these entail? And what role is envisaged for the ICO in relation to data sharing between public bodies, as well as other projects that might emerge, this side or beyond the General Election in May 2015?

Fit for the future

We're not just waiting to be told what to do. The ICO cannot simply mark time and wait for every uncertainty to fall away, nor should we behave reactively to each new development. We need to be prepared for a future that will be different and ever changing, and, for that reason, we need to become more agile. We need to maintain a strategic approach and be able to adapt within that strategy – not improvise around a series of tactical responses.

Throughout 2013, we at the ICO have been developing our thinking about how the organisation should ready itself for the future. We've been working on our 2020 vision, if you like. What sort of ICO should we work towards? What should be its priorities? How, in the years ahead, should we set about delivering the information rights outcomes to which we are committed?

We want your views

Towards a 2020 Vision for the ICO started with the Leadership Group of middle and senior managers. Next we involved the staff. Then we drew on customer satisfaction surveys and we commissioned some stakeholder research. Now it's your turn. What follows is how we think the ICO needs to change to be ready and able to meet the challenges ahead. We'd like to hear your views about what we are proposing. Are we on the right lines? What should we do more of? What should we do less of?

Much of what follows reaffirms the ICO's approach, but there are some significant changes of direction. We're going to adjust our focus to what we can do for the many by acting on the concerns expressed by individuals.

Draft

We're keen to learn more from casework and tackle systemic problems ahead of individual lapses. We want to work with other organisations and regulators to leverage the information rights message and co-ordinate enforcement. And we want to co-ordinate the development of trust marks and privacy seals so that the ICO is not the first and last line of defence for citizens and consumers' rights.

It's important that the ICO always listens to our stakeholders and learns from them. So we're running [this public consultation](#) and we'd value your input. You'll find some questions in the accompanying document. The consultation closes on 7 February 2014 and we anticipate publishing our final thoughts in March, alongside our corporate plan for the three years 2014/15 – 2016/17.

We look forward to hearing from you.

Christopher Graham
Information Commissioner

Draft

2. Mission, vision and goal

Mission

The ICO's mission is to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.

Vision

To be recognised by our stakeholders as the authoritative arbiter of information rights, delivering high quality, relevant and timely outcomes, responsive and outward looking in our approach, and with committed and high-performing staff – a model of good regulation and a great place to work and develop.

Goal

The ICO's goal is to achieve a society in which:

- all organisations which collect and use personal information do so responsibly, securely and fairly;
- all public authorities are open and transparent, providing people with access to official information as a matter of course;
- people are aware of their information rights and are confident in using them; and
- people understand how their personal information is used and are able to take steps to protect themselves from its misuse.

3. Aims for the next five years – what we expect to do

The ICO will expect to

- Educate
- Empower
- Enforce
- Enable
- Engage

Educate

- We will continue to provide help and guidance so that organisations have a better understanding of their information rights obligations, particularly in relation to any new legislative framework.
- We will seek to inform and influence advice provided at EU level on any new legislative framework.
- We will encourage further working with other regulators and sectoral bodies to secure information rights compliance.
- We will seek to ensure that the lessons we learn from our regulatory activities are reflected back into the community we regulate so as to promote good practice.
- We will provide the tools to empower organisations to assess the risks to information rights.

Empower

- We will continue to provide help and guidance to citizens and consumers so that they have a better awareness of their rights and how to assert them.
- We will further develop privacy seals and accreditation schemes as appropriate.
- We will make it easier for people to report their concerns to us by developing online reporting tools.
- We will work to ensure that customer concerns receive a proportionate, fair and efficient response.
- We will continue our work to embed information rights within the school curriculum.

Enforce

- We will aim to enforce proportionately so as to ensure that the public can be confident that their rights will be respected and that organisations understand that they must meet their obligations.

- We will use the information we receive to focus on organisations that get things wrong.
- We will actively seek opportunities to collaborate with other regulators when considering enforcement action.
- We will use our influence and enforcement powers to ensure to public are properly protected under the Privacy and Electronic Communications Regulations.

Enable

- We will seek to demystify information rights so that data protection and freedom of information are never abused to block developments that are in the public interest, or to cover up what should be made public

Engage

- The ICO will look to engage with developments in technology, business, and policy, both nationally and internationally so as to inform and influence developments in areas such as:
 - European data protection framework
 - Open Data and big data
 - Transparency
 - New digital services
 - Global information rights challenges
- We will identify any significant gaps in our regulatory powers and press the case for these to be filled.

4. Aims for the next five years – how we expect to do it

The ICO will aim to be

- Outcome focused
- Agile
- Joined up
- Efficient
- Expert
- Responsible

Outcome focused

- Prioritising areas of highest information rights risk.
- Assimilating and acting on the concerns and enquiries reported to us by the public quickly, accurately, and effectively.
- Changing how we handle casework and enquiries to allow us to identify and address wider compliance issues, and only where appropriate, to address individual concerns.
- Ensuring the right balance between formal and informal enforcement action to maximise compliance.
- Maintaining a clear and up-to-date framework of guidance offering legal and practical advice while monitoring its impact.

Agile

- Always being flexible enough to anticipate and respond to a changing information rights environment.
- Engaging early with policy makers and those planning changes which will have an impact on information rights.
- Horizon scanning to identify new issues and to be prepared for them.
- Maintaining timely dialogue with government about the ICO's role in new policy initiatives and structures.
- Developing flexible internal management processes so we can react quickly to changed priorities and responsibilities.

Joined up

- Working with other bodies to amplify information rights messages and in coordinating enforcement action.
- Identifying areas for partnership working for enforcement and investigations, and ensuring action.
- Developing a co-regulatory approach involving accreditation schemes.
- Working to remove the misconceptions that frustrate fair and transparent information sharing where that is appropriate.

- Working internationally with other regulators to develop global mechanisms for co-ordinating and enforcing information rights.

Efficient

- Continuing to improve the efficiency of the ICO and doing better for less.
- Working towards a sustainable funding model for the ICO.
- Getting the best value from contracts and shared services.
- Ensuring we have the right IT and accommodation to support our staff in doing what they need to do.
- Reducing the cost of back office services by reviewing how these services are provided; considering restructuring, shared services and prioritising what we actually need.
- Taking a digital by preference approach to delivering our services, further developing our website.

Expert

- Authoritative in what we say – commanding attention.
- Providing both expert input based on detailed knowledge of information rights legislation and evidence-based advice backed by research.
- Keeping in touch with what people are concerned about, monitoring the contrasting perspectives of different social groups.
- Developing our understanding of the businesses we regulate.
- Striving to meet the expectations of good regulatory practice and the requirements of the Regulators' Code of Practice.

Responsible

- Extending the ICO's reach into all sections of society to promote fairness and to ensure equality of access to information rights and ICO services.
- A fair employer, offering equal opportunities to all, regardless of gender, ethnic origin, age, religion, or sexual orientation.
- Developing and valuing our staff, the key resource for a knowledge-based organisation.
- A green exemplar, working to reduce progressively our carbon footprint.