REPRIMAND PROCESS CHECKLIST

1. Preparation of Notice of Intent (NOI)

☐Once reprimand agreed IO to ask TM to add completed date on Crimson

☐IO drafts NOI 7c and cover letter 7b and send to TM for consideration.

☐Once agreed by TM, finalise the dates in the letter and NOI. Send to DC

☐Send a copy of NOI to Debora Biasutti and ██████████ (Comms)

☐Save to SharePoint and add note on Crimson log

☐Add the relevant details to the Corrective Measures criteria template (Civil Resources) and email to Investigation Support Officer (██████████████)

☐IO to request TM to alter Crimson case status to 'Reprimand NOI issued'

2. After 3 weeks and a day or when response received

☐If no response received or no changes/redactions identified, case officer to consider whether redactions are required and send to TM to agree. See link

███████████████████████████████████
████████████████████

Then go to section 3.

☐If response received and identifies any change or dispute complete 7e with IO's comments.

2a Minor change

☐IO to send 7e to TM

2b Minor redactions

☐IO to send 7e to TM (see link above) along with copy of NOI with suggested redactions highlighted in yellow

2c Reps or major changes/redactions

☐IO to arrange a meeting within 2 weeks. Invite TM, a GM (who has not been involved in the decision-making process) and minute taker (probably ISO). Legal will only be invited if considered necessary (eg points of unlawfulness, if they are written by a lawyer or the matter is high profile). If legal are invited remember to send relevant information (eg exhibits) to them.

☐IO to send 7e to TM and a GM and attach to invite

☐If reps received IO to request TM to change the Crimson status to 'Reprimand NOI reps received'

☐Once meeting has taken place IO to ensure that the recommendation report reflects any decisions made[1]

☐If a decision is taken that the case should not proceed to final reprimand, TM to change the case status to 'Reprimand NOI issued but not pursued'

☐IO to ensure relevant documents are saved to SharePoint and Crimson log updated

☐In all cases IO also to consider if redactions are appropriate, highlight in yellow as appropriate and send to TM for consideration

3. Redactions, final reprimand and publication

☐The redaction process can be found at the above link

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[1] A decision will be taken by the Chair at the Reprimand Reps Meeting on (i) whether to issue a final reprimand; (ii) whether any amendments are needed before the reprimand is made final (eg to correct factual inaccuracies); and (iii) whether the reprimand will be published.

☐Once TM agrees the amends IO to inform Comms (Debora and ███████) to request a date that the reprimand will be published (unless it is not going to be published - this will be unusual)

☐Wider publicity may be appropriate in which case the lead comms officer should advise Civil of relevant dates and content of the wider publicity

☐IO prepares the reprimand. It is the responsibility of the IO to remove any reference to proposed /provisional/intends etc, entitle it 'Reprimand', adjust the paragraph numbering if required and put name of decision maker (usually GM or HoD) and date at the bottom.

☐Add paragraph (probably after para 1.6) as follows: "The [Controller/Processor] were invited to provide representations. [Controller/Processor] provided representations on [date]/ [Controller/Processor] failed to provide any representations."

☐If required include a **summary** of any objections/representations made and the ICO's considerations/view. Send to TM to review.

☐If redactions are required IO also prepares a version with redactions highlighted in yellow. Send to ISO to redact and once returned send to TM to review.

☐Complete cover letter (7d), complete publication/publicity dates and send final reprimand and a redacted (in black) copy if appropriate. (Give the DC three days to respond).

☐IO to request TM alters Crimson status to 'Final Reprimand Issued'

☐If further redactions are requested you may need to repeat the process at section 2. Reissue using the process as described

☐If changed, send final redacted (if appropriate) copy to Debora and ███████ .

☐Send final (redacted if appropriate) copy to
██████████@ico.org.uk for publication. Please include the
following:

Name of the organisation: [organisation name, or sector (if name of the organisation is redacted)]

Date: [date of when reprimand was issued]

Type: Reprimands

Sector: [add sector name]

Short summary: [2-3 sentences about the reprimand]

Please bear in mind that this information is published on the website, alongside the reprimand, so do be considerate of the information you provide, particularly in the short summary section. If unsure or particularly contentious, please check with your TM before sending it to Website Updates.

☐IO to request the ISO to update the Corrective Measures Spreadsheet from NoI to Reprimand.

☐IO to save any relevant documents to SharePoint file. Add note to Crimson log and attach recommendation report, reprimand and exhibits.

☐IO to close the SharePoint case and remember to "preserve" via "Edit Properties." IO to request TM to close Crimson case.

4. If an update is provided (do not chase *unless to do with SAR compliance – see below)

☐Acknowledge receipt and save to SharePoint.

☐ Complete the reprimand update document (7f), forward to TM and save to SharePoint.

☐Request TM to open Crimson, update log, TM to close again.

☐**If steps are to do with SAR compliance and the update is to do with its compliance rate (so statistical info) then this should be chased.**