

The ICO's Ex-Post Impact Framework

Our approach to understanding the impact of our interventions

September 2024

Contents

1. Introduction	3
1.1. Context	3
1.2. Scope	3
1.3. Why is ex-post impact important to the ICO?.....	4
1.4. Challenges in assessing the ex-post impact of regulatory interventions.....	5
2. Our approach to ex-post impact	6
2.1. How will we assess our ex-post impact?	6
2.2. How will we decide which category of assessment to use?	8
3. Ex-post impact in the wider ICO context	10
3.1. How does ex-post impact fit into the wider policy-making process?	10
3.2. How will we use and disseminate findings?	13
3.3. Our ex-post impact ambitions.....	14
Annex A: Challenges in assessing the ex-post impact of our regulatory interventions	15
Annex B: Glossary.....	18
Annex C: References	20
Annex D: Supplementary guidance on full scale reviews	22
D.1 Key steps for a full-scale review.....	22
D.2 Evaluation approaches and methods.....	22
Annex E: How we decide our post-impact approach	24

1. Introduction

Ex-post impact refers to the impact of an intervention (such as a policy, programme or regulation) after it has been implemented and in operation for a period of time. It is based on actual results, rather than anticipated results (which are considered as part of ex-ante impact work). There are a range of different approaches that can be taken to assessing the ex-post impact of an intervention such as monitoring, review and evaluation.

1.1. Context

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

Our work makes use of a policymaking cycle, as set out in our [Policy Methodology](#). Within this, consideration of ex-post impact facilitates evidence-based intervention design and implementation, increases accountability and transparency, demonstrates achievements towards objectives and assesses effectiveness, efficiency, results and impacts.

To ensure the ICO's activities are effective and efficient, it is important for us to generate and analyse robust evidence on the impact of our interventions for accountability, transparency, and learning. This helps us to understand what effects are produced by our interventions (for who and why), facilitating learning and supporting our commitment to evidence-based decision-making across the ICO.

This framework outlines the ways in which we will review the ex-post impact of our interventions, as part of our commitment to regulatory good practice.

1.2. Scope

The purpose of this framework is to provide a consistent and proportionate approach to determining how and when we will measure the ex-post impact of our interventions. This includes explaining the spectrum of approaches that we will use to monitor, review and evaluate ex-post impact, the type of evidence these approaches will draw on and how this evidence will be used and disseminated to ensure continual learning and improvement across the ICO.

The framework draws closely on best practice principles and guidance set out by HM Treasury in both the Green Book and the Magenta Book, the Organisation for

Economic Co-operation and Development (OECD), the UK Evaluation Society and the Better Regulation Framework.¹

This framework supports a systematic and cyclical approach to considering impact and learning, linking to our other frameworks (such as our [Impact Assessment Framework](#), [Policy Methodology](#)). This enhances our regulatory policy making outcomes and the ICO's role as an informed regulator.

This framework does not have binding legal effect. The ICO will apply this framework where it is appropriate to do so.

1.3. Why is ex-post impact important to the ICO?

The ICO is committed to making timely, informed and impactful decisions, drawing on evidence and insight, and understanding the impacts of our interventions to ensure that we are making a material difference. We are forward-thinking and value the importance of learning from our mistakes, celebrating our success and continuously developing.

We also recognise the importance of regularly reviewing the impact of our regulatory interventions linked to our reporting duties under the [Deregulation Act 2015](#).

Assessing the ex-post impact of our interventions provides the opportunity, where appropriate, for an objective assessment of the design, delivery, effectiveness, impacts and unintended consequences of an intervention. High quality ex-post impact evidence can improve the effectiveness of regulatory policy making through:

- increasing accountability and transparency;
- validating the real impacts of an intervention after its implementation and determining whether the intended outcomes and impacts have been achieved;
- reducing delivery risk through increasing understanding of what works, why, and for whom;
- evidencing value for money and providing insight into unintended outcomes; and
- providing learning that can be used to refine regulatory interventions to improve outcomes, inform future ex-ante impact assessments and decisions about whether to renew, revise, remove or replace the regulatory intervention under consideration.²

¹ See Annex C for list of references.

² See OECD Best Practice Principles for Regulatory Impact Analysis and NAO Good Practice Guidance Principles of Effective Regulation for further details about the learning cycle of effective regulation). References are provided in Annex C.

1.4. Challenges in assessing the ex-post impact of regulatory interventions

As the UK's data protection and information rights regulator, the ICO seeks to foster trust in how organisations process personal information. We want to empower people to safely share their information to use the products and services that drive our economy and society.

The environment in which we work is complex, fast moving and ever changing, given the ubiquitous growth and development of the data economy, emerging technologies, the role of the online world in our lives and new legislation. We are often required to consider competing issues around data privacy, information rights, economic growth, competition and innovation. This complexity and state of continual change can present evidence and measurement challenges when trying to assess the impacts of our interventions, requiring adaptive approaches.

Some of the key challenges in assessing the ex-post impact of our regulatory interventions include:

- **Lagged effects** where regulatory intervention often targets behavioural changes, which means that it can take time for impacts to materialise.
- **Causality challenges** where the relationship between the intervention and anticipated outcomes is complex, with many external/wider factors that might also influence the outcomes. This complexity can make it difficult to attribute changes to an intervention.
- Data privacy and information management are **fast-evolving policy areas**, meaning that there are limitations in terms of existing databases and evidence.
- Enhanced **sensitivities and challenges around data collection** and evidence gathering as a regulator. We are conscious that our interventions may not always be popular amongst those we regulate, and that organisations may be reluctant to share insights with us, due to fear of regulatory action.
- **Lack of understanding of, and difficulties in measuring, data protection harms**. Awareness of harms that can occur from a breach of personal data (outside of financial harms) can be limited.³ This can create challenges in understanding the impact of our interventions on harms.

Table A1 in Annex A provides a more detailed overview of these challenges and the types of measures we will consider, where appropriate, to address these. Implementing this Ex-Post Impact Framework will be a key step in us addressing the outlined challenges.

³ See full reference in Annex C: ICO (2022) Overview of Data Protection Harms and the ICO Taxonomy.

2. Our approach to ex-post impact

2.1. How will we assess our ex-post impact?

In considering an appropriate approach for assessing the ex-post impact of our interventions, we will consider the following good practice principles.⁴

Good practice principles in assessing ex-post impact

Useful: having a clear purpose to the ex-post impact review, communicated to all involved, and producing useful, usable outputs at the right time (for example, timing the review to align with known decision points).

Transparent and credible: ensuring a degree of objectivity to the review and clear communication of any limitations of impact findings, to ensure results are used responsibly.

Inclusive: seeking to understand and respect the perspectives of all stakeholders, recognising the value that they bring; tailoring around the needs of various stakeholders such as decision makers, users, implementers and the public.

Robust: being realistic about what is a feasible, robust methodology that can be taken forward within the timescale and resources available.

Proportionate: ensuring a proportionate approach is chosen based on the nature of the intervention and wider context; not all regulatory intervention will require the same level of scrutiny or have the same learning needs.

Within the ICO, we deliver a spectrum of approaches to assessing our ex-post impact from **light-touch** to **medium-scale** to **full-scale**.

Figure 1: Spectrum of approaches



Source: ICO.

⁴ The principles draw on guidance within HM Treasury Magenta Book and UK Evaluation Society Guidelines for Good Practice in Evaluation, full references provided in Annex C.

The table below provides an overview of the type of product and evidence gathering routes for each of the three approaches on our spectrum of ex-post impact approaches. All approaches on our spectrum are underpinned by the principles set out in HM Treasury's Magenta Book.

Table 1: Examples of evidence gathering routes by type of approach

Ex-post impact description	Examples of evidence gathering routes
<p>Light-touch review: A lower-resource piece of work which assesses whether or not the intervention has broadly met its objectives and success criteria, and whether or not there have been any unintended effects.</p>	<ul style="list-style-type: none"> • Primarily will draw on readily available monitoring data (we would expect this to predominately be output monitoring data, and only include outcomes where easily captured/ accessible). • Bite-sized feedback survey(s) with key internal and/or external stakeholders. • Internal learning sessions at the end of key phases linked to the theory of change.
<p>Medium-scale review: A medium resource piece of work designed to understand the effects of our intervention on our target population. The review is likely to provide evidence predominantly on the outputs and outcomes of an intervention, as well as the unintended effects. This may involve focusing on the early, or intermediate part of the theory of change of an intervention and will help us to understand the changes that the intervention has led to, and reasons for this (ie what is driving the change). Where proportionate, this could include both efficiency considerations (balance of costs and benefits) and a high-level assessment of whether the intervention has worked as intended (impact effectiveness).</p>	<ul style="list-style-type: none"> • Monitoring data (eg outputs data) and light-touch desk review activities. • Focus on capturing evidence linked to early and intermediate stage outcomes. This will likely involve some engagement with target population. This could include primary research such as surveys, interviews, focus groups and/or use of existing research programmes. • Some process review activities to ensure internal lesson learning.
<p>Full-scale review: A higher-resource, formal evaluation delivered in line with HM Treasury Magenta Book guidance. This will provide robust assessment of the design, implementation and outcomes of the intervention, to understand how it was implemented, the effects if has had, for whom and why. This is our most rigorous tool for assessing the ex-post impact of our</p>	<ul style="list-style-type: none"> • Monitoring data (eg outputs data). • Desktop review of wider contextual data and documentation, including relevant literature review. • Range of larger-scale primary research (which may

interventions. It may consist of one or more of the following types of evaluation:

- Process evaluation - which seeks to understand what can be learned from how the intervention was delivered.
- Impact evaluation - which seeks to understand how and why the impact occurred and what difference the intervention made, and
- Value-for-money evaluation - which seeks to understand whether the intervention was a good use of resources.

Further details setting out the steps we will follow for our full-scale reviews are provided in Annex D.

be commissioned externally, where proportionate) such as formal consultations, calls for evidence, surveys, focus groups to gather quantitative and qualitative data.

- Use of longitudinal surveys, where appropriate, to enable comparison against a baseline.

Source: ICO (drawing on guidance set out in HM Treasury Magenta Book).

2.2. How will we decide which category of assessment to use?

In deciding what type of approach is most appropriate to the circumstances, we will consider the type of intervention, extent of existing evidence base, scale and timing of expected impacts and wider contextual factors. Figure 2 sets out the questions we will consider as our indicative criteria for choosing which type of ex-post impact approach we will deploy. A version of Figure 2 with enhanced accessibility can be found in Annex E.

Figure 2: Indicative process for choosing ex-post impact approach



Source: ICO. A version with enhanced accessibility is available in Annex E.

3. Ex-post impact in the wider ICO context

3.1. How does ex-post impact fit into the wider policy-making process?

The ICO's Ex-Post Impact Framework fits into our systematic approach to policy making, as set out in our other frameworks.⁵ Our portfolio of frameworks are interlinked and ensure a consistent methodical approach. We do not view our approach to measuring ex-post impact in isolation. To ensure successful policymaking, we use this framework in combination with our other frameworks, as illustrated in the following overview.

3.1.1. Policy Methodology

The ICO's Policy Methodology describes what is meant by regulatory policy in the ICO, the context in which the ICO operates, and the different tools and resources available to support policy-makers. It is non-prescriptive and is designed as a guide to good practice to be applied flexibly.

Our approach to policy decision-making follows a seven-stage process:

1. Identifying the issue;
2. Research and analysis;
3. Developing policy options;
4. Consultation;
5. Making a decision;
6. Implementation; and
7. Review and evaluation.

Navigating the steps of the methodology may not always be a linear journey, so we encourage our policy makers to respond flexibly to new evidence, changing priorities or a new understanding of a regulatory problem. The methodology prompts our policy makers to explain their reasoning and demonstrate how this is supported by relevant and reliable evidence.

This Ex-Post Impact Framework is separate from the Policy Methodology. But the two frameworks are closely related, as this framework provides the strategic approach linked to stage seven of the Policy Methodology.

3.1.2. Impact Assessment Framework

Our Impact Assessment Framework focuses on our approach to ex-ante impact assessment and the circumstances in which we will carry out an Impact Assessment. Ex-ante and ex-post impact assessment are different in focus, but

⁵ See Annex C for hyperlinks to ICO frameworks referenced here.

each helps to improve the other. Both activities enhance our understanding of what works and help to grow our organisational evidence base.

Impact assessments (IAs) are a key way in which regulators balance different obligations and objectives, and ensure that in making a decision to intervene that regulatory action is both proportionate to the issue at hand and not unduly burdensome on the those that they regulate.

Our Impact Assessment Framework provides all of our stakeholders with a clear picture of how we assess the likely impact of our policies. The purpose of this Framework is to provide enhanced clarity about how we discharge our regulatory duties. This includes explaining the circumstances in which we are likely to conduct an IA, and where we are not likely to conduct an IA. It also summarises our approach to conducting IAs via a six-step process.

Consideration of impact in stages one to five of the Policy Methodology is linked to the Impact Assessment Framework. Whilst consideration of the ways in which ex-post impacts can be monitored and reviewed begins in conjunction with implementation (stage six onwards) of an intervention.

3.1.3. Theory of Change: driving impact by design

Theory of Change (ToC) is a systematic approach that enables the articulation of a vision for change, definition of desired outcomes, and development of the necessary steps to achieve them. It serves as a roadmap, illuminating the causal relationships between inputs, activities, outputs, and outcomes.⁶ By mapping out this route to impact, it allows us to understand how change happens and provides a reference point for implementation, monitoring, and review.

Before starting to think about approaches to measuring ex-post impact, it is important to consider what the intervention is aiming to achieve, what outcomes you want to see and the context in which the intervention will be operating. Theory of Change (ToC) can be a useful tool for mapping the aims and objectives of the intervention and considering what needs to be done to achieve these, including the underlying assumptions that will ensure the success of the intervention.⁷

Within the ICO, we use ToC:

- **Within ex-ante impact assessment:** we explicitly set out the ToC for the preferred intervention and consider the quality of underlying evidence. The ToC will illustrate the change the intervention aims to bring about, the causal chain of events expected to bring about the change, the main

⁶ See Annex B for glossary and definitions.

⁷ See Annex C for full reference: Evaluation Taskforce (2023).

actors and groups expected to be impacted and how the objectives link to the problem(s) identified.

- **At the programme formulation stage:** we use ToC to ensure that we are thinking about how the inputs and activities planned align with the rationale for intervention, the mechanisms through which we anticipate they will lead to the desired outcomes and impacts, and how we can maximise impacts.
- **Within ex-post impact review:** the ToC sets out how the intervention was intended to work. As such, it provides a useful tool at the ex-post impact stage for reviewing whether the intervention has worked in practice as anticipated and what we can learn from it. Where we are not able to monitor impacts, the ToC also helps us to identify the outputs or outcomes that we can measure to infer whether impacts are likely to have occurred.

Not all interventions will require the same depth of ToC analysis. Where we are implementing low-risk, well-evidenced and low priority interventions, we will consider questions around the ToC but will take a lighter touch approach to the analysis. Where implementing interventions that are more novel and high priority (aligning with our strategic objectives), we undertake more thorough analysis and will take an iterative approach to updating the ToC as additional evidence is gathered.

3.1.4. Taxonomy of data protection harms

The ICO's taxonomy of data protection harms sets out our approach to understanding the concept of harm drawing legal, policy and economic insights from wide-ranging sources. We use this in our ex-post impact work to consider in more depth:

- what the cause of the issue is;
- what harm may result from this issue;
- who is most affected by it; and
- what change we have influenced linked to the previous bullets.

3.1.5. Consultation policy

The ICO's consultation policy explains how and why we use consultation in developing policy decisions and discharging our regulatory duties. As part of our ex-post impact approach we may, where appropriate, seek the views of stakeholders allowing them to contribute to our thinking and evidence, enabling scrutiny and accountability in our work.

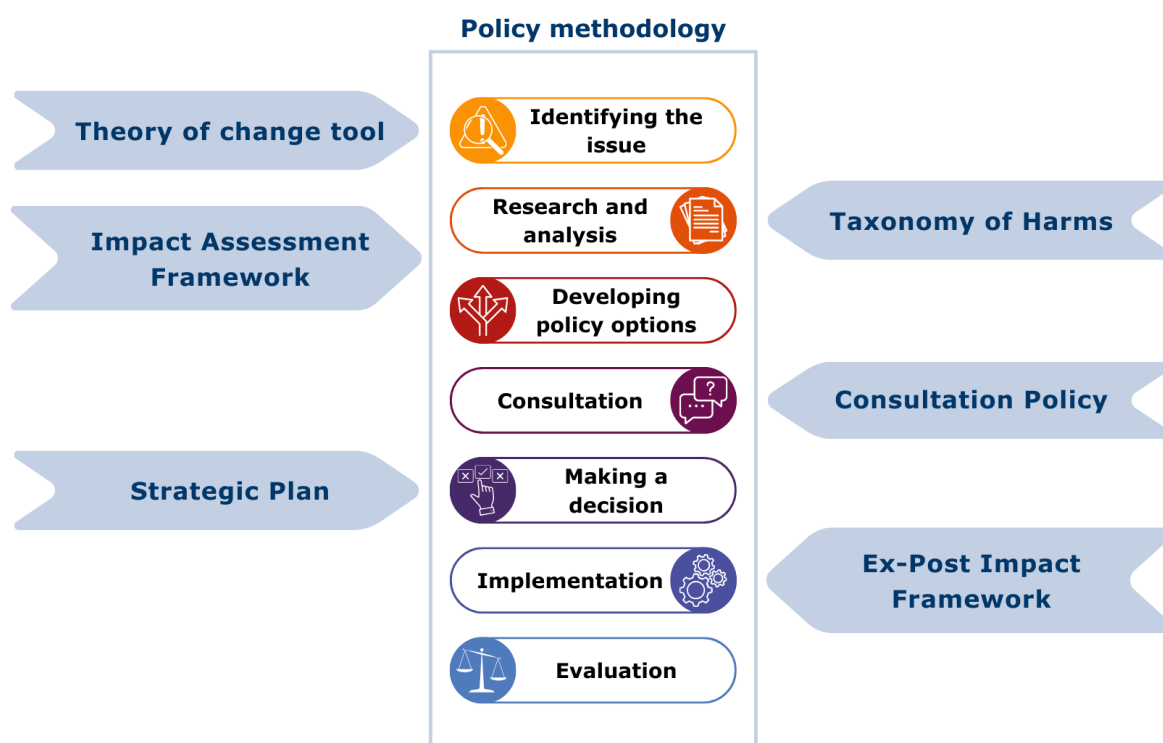
3.1.6. Strategic plan

Our strategic plan describes our purpose, objectives and values we aim to achieve through the life of the plan. These objectives and values are reflected in our criteria for considering our ex-post impact approach.

3.1.7. Summary of how ex-post impact fits with wider policy making

Figure 3 shows our seven-stage policy methodology process, and the stages at which we deploy each of our frameworks, policies and tools when discharging our regulatory duties, as described above.

Figure 3: Policy methodology process and complimentary tools



Source: ICO.

3.2. How will we use and disseminate findings?

The purpose of assessing ex-post impact is to provide objective evidence and analysis for accountability and learning. We are committed to understanding the effectiveness, efficiency and impacts of our interventions, to increase our understanding of what works and why, and to use this evidence to improve our interventions and decision-making processes. As such, ex-post impact findings should be presented transparently to stakeholders and should be published in a way that promotes public trust.

Our default position is a presumption of openness and transparency, with an ambition to publish the findings from all of our full-scale ex-post impact work

and from our medium scale ex-post impact work where proportionate and appropriate. However, there may be circumstances where we decide for good reason that it is not possible to publish our ex-post impact findings at all, or decide to publish a summary or redacted version of the ex-post findings. Learning and results from all our ex-post impact work will feed into wider organisation reporting, such as our annual reports.

We will collaborate with internal stakeholders to ensure that the findings, including learnings and recommendations from our ex-post impact work are disseminated effectively, so that it can be used to inform revised approaches to existing interventions (where needed) and inform the design and implementation of future interventions.

3.3. Our ex-post impact ambitions

Ex-post impact considerations are important to the ICO. We are forward-thinking and value the importance of learning from our mistakes, celebrating our success and continuously developing.

Where we have identified a need for ex-post impact considerations, the nature of the approach will depend on the factors set out in Section 2. There may be circumstances where we decide that even though an intervention meets the criteria for a specific scale of ex-post impact review, it is impractical or unsuitable for us to do so. Where this is the case, we will document our reasoning.

Our ambition is to undertake at least two evaluations (ie our full-scale review category) per year. However, this will be dependent on the pipeline of work, strategic priorities and prioritisation of resources.

Annex A: Challenges in assessing the ex-post impact of our regulatory interventions

Table A1: Challenges in assessing the ex-post impact of our regulatory interventions

Challenge and implications	Approaches to addressing the challenge
<p>Lagged effects: Regulatory intervention often targets behavioural changes, which means that it can take time for impacts to materialise. In the initial period after an intervention is implemented, it may not be possible to quantify the impacts, or where it is possible, impacts may appear low or non-existent.</p>	<ul style="list-style-type: none"> • Use of theory of change:⁸ reviewing the route to impact journey to assess whether the intervention has driven the expected outputs, whether this is leading to the expected outcomes, and what this might infer about future impacts. • Longitudinal reviews: systematically building in plans at the outset to measure ex-post impact over a longer time frame, eg several years beyond implementation (ensuring appropriate monitoring data is collected throughout implementation), noting that this can also bring challenges such as personnel changes within key stakeholder organisations.
<p>Establishing causality: causality can be hard to prove, where the relationship between the intervention and anticipated outcomes is complex, with many external/wider factors that might also influence the outcomes. This complexity can make it difficult to attribute changes to an intervention. There can be particular challenges where the nature of the intervention makes it difficult to quantify the causal relationship between the ICO input and the results achieved, eg in relation to UK Government activity that involves multiple public sector actors.</p>	<ul style="list-style-type: none"> • Use of contribution analysis: using a step-by-step approach to systematically gather evidence regarding the extent to which an intervention was important in contributing towards an observed outcome, relative to other factors or explanations. This type of theory-based impact evaluation method can be useful for complex interventions. • In-depth qualitative research: gathering evidence around the mechanisms through which outcomes and impacts have been achieved, and the importance of the ICO intervention in generating outcomes, relative to other factors.

⁸ See Annex B for glossary with definitions of key terminology used in this table, including further details about Theory of Change.

Fast-evolving context and data paucity: data privacy and information management are fast-evolving policy areas, meaning that there are limitations in terms of existing databases and evidence. Operating within a fast-evolving policy context can also mean that there is a need for more frequent updates to intervention design/delivery to respond to emerging legislation, technologies etc.

Enhanced sensitivities and challenges around data collection and evidence gathering: as a regulator we are conscious that our interventions may not always be popular amongst those we regulate, and that organisations may be reluctant to share insights with us, due to fear of regulatory action. This can create challenges in obtaining evidence to understand impacts. There are also challenges associated with being a cross-economy regulator as opposed to vertical regulator as this means that we have more wide-ranging stakeholders and can create challenges in obtaining a representative sample in primary research.

Lack of understanding of, and difficulties in measuring, data protection harms: Awareness of harms that can occur from a breach of personal data (outside of financial harms) can be limited.⁹ This can create challenges in understanding the impact of our interventions on harms. Even where a harm is

- **Use of responsive and exploratory approaches:** embedding monitoring and review into intervention design and delivery, enabling stakeholders to play an active role in the ex-post impact review and provide real-time feedback on the intervention.
- **Use of primary research:** (eg surveys, consultations, calls for evidence) where secondary datasets are not available and collaborating with others operating in this area (eg other regulators or academic researchers) to gather evidence.
- **Ensuring internal data is high quality:** ensuring appropriate records, monitoring and reporting processes are in place internally to provide a strong evidence base.
- **Providing the opportunity for non-attributable responses:** Where possible, use of anonymised responses to field work and communicating that responses will be aggregated and not attributed to any individual in reporting.
- **Larger scale/more in-depth qualitative research:** to try to ensure that responses are obtained from a range of stakeholders. This can also increase the ability to understand whether views vary amongst stakeholder groups.
- **Use of quotas for surveys:** quotas can be used to encourage a representative sample of responses. Use of weighting for analysis may also be considered.
- **Use of qualitative research:** where proportionate, to seek to understand the impact of interventions on individuals and contextual factors that might affect this.
- **A need to increase awareness of harms:** this may involve careful consideration of approaches to providing contextual

⁹ See full reference in Annex C: ICO (2022) Overview of Data Protection Harms and the ICO Taxonomy.

The ICO's Ex-Post Impact Framework

identified, it can be challenging to quantify for a number of reasons such as the nature of the harm, the fact that harms are risk-based and diffuse, and that harms can vary by data subject.

information within primary research, while trying to avoid the use of leading information and questions. This could be tested through use of pilot surveys/control groups for questioning.

Source: ICO.

Annex B: Glossary

Brief definitions of some of the key ex-post impact terminology and concepts referenced within this framework are provided below.

- **Attributing causality:** identifying whether changes observed (impacts) are a result of the intervention implemented or have been influenced by wider factors.
- **Activities:** this could include things that are delivered internally, or things that are done to make an intervention successful (eg host events, enforce, raise awareness).
- **Assumptions:** the underlying beliefs or conditions that need to be true for a planned action or intervention to successfully lead to the desired impacts.
- **Contribution analysis:** a theory-based impact evaluation method, contribution analysis is a step-by-step process used to examine if an intervention has contributed towards an observed outcome by exploring a range of evidence for the Theory of Change. It provides an evidenced line of reasoning for the extent to which an intervention has contributed towards an outcome.
- **Counterfactual:** this considers what would have happened to affected groups in the absence of an intervention. When measuring this, it is important to ensure that the counterfactual is genuinely comparable to the intervention group and the intervention effect is of sufficient scale to be differentiated from the expected 'noise' in the data.
- **Impacts:** the long-term goal or ultimate objective of an intervention. This is likely to be closely linked to a mission or vision statement. It will often be the most difficult aspect of the theory of change to measure, and since it will occur over a long period of time, with other influencing factors, it can be challenging to identify whether any changes you do observe are a result of your efforts or something else (attributing causality).
- **Inputs:** resources invested in an intervention (staff, funding, systems etc.)
- **Intervention:** the regulatory tools available to the ICO, anything that interferes with the status quo - to some extent, anything we do, such as a policy, project, programme (enforcement action, guidance production etc).
- **Outputs:** the tangible or intangible things that an intervention produces. They should act to 'spark change' or act as the catalyst for the identified outcomes. They can often be quantified, eg number of attendees at events, website views, fines issued etc.
- **Outcomes:** short to medium effects of an intervention or the 'step changes' which needs to occur in order to achieve the desired impact. These are often more difficult to measure than outputs, as they can frequently relate to perceptions, emotions, or other internal state.

- **Theory of Change:** a systematic approach that enables the articulation of a vision for change, defining desired outcomes, and development of the necessary steps to achieve them. It serves as a roadmap, illuminating the causal relationships between inputs, activities, outputs, and outcomes. By mapping out this route to impact, it allows us to understand how change happens and provides a reference point for implementation, monitoring, and review.

Annex C: References

Department for Business and Trade (2023) Better Regulation Framework.

Available at: [Better Regulation Framework guidance.pdf \(publishing.service.gov.uk\)](#) (Accessed 31 May 2024).

Deregulation Act 2015. Available at: [Deregulation Act 2015 \(legislation.gov.uk\)](#) (Accessed: 02 July 2024).

Evaluation Taskforce (2022) Collection: Evaluation Strategic from other UK government departments. [Evaluation Strategies from UK government departments - GOV.UK \(www.gov.uk\)](#) (Accessed 17 April 2024)

Evaluation Taskforce (2023) Guidance, Evaluation Policy in Government. [Evaluating Policy in Government - GOV.UK \(www.gov.uk\)](#) (Accessed 20- May 2024).

HM Treasury (2020) Magenta Book. Available at: [The Magenta Book - GOV.UK \(www.gov.uk\)](#) (Accessed: 20 May 2024).

HM Treasury (2020) Magenta Book Annex A, Analytical Methods for Use Within an Evaluation. Available at: [The Magenta Book - GOV.UK \(www.gov.uk\)](#) (Accessed: 20 May 2024).

HM Treasury (2020) Magenta Book 2020 Supplementary Guide: Guidance for Conducting Regulatory Post Implementation Reviews. Available at: [The Magenta Book - GOV.UK \(www.gov.uk\)](#) (Accessed: 20 May 2024).

HM Treasury (2020) Magenta Book 2020 Supplementary Guide: Handling Complexity in Evaluation. Available at: [The Magenta Book - GOV.UK \(www.gov.uk\)](#) (Accessed: 20 May 2024).

HM Treasury (2022) The Green Book. Available at: <https://www.gov.uk/government/collections/the-green-book-and-accompanying-guidance-and-documents> (Accessed: 20 May 2024).

National Audit Office (2021). Good Practice Guidance, Principles of Effective Regulation. Available at: [Good practice guidance Principles of effective regulation \(nao.org.uk\)](#) (Accessed 20 May 2024).

ICO (2022) Overview of Data Protection Harms and the ICO's Taxonomy. Available at: [Overview of Data Protection Harms and the ICO Taxonomy](#) (Accessed 20 May 2024).

ICO (2022) ICO25 Plan. Available at: [Our strategies and plans | ICO](#) (Accessed 31 May 2024).

ICO (2024) The ICO's Consultation Policy. Available at: <https://ico.org.uk/media/about-the-ico/policies-and-procedures/4019219/ico-consultation-policy.pdf> (Accessed 31 May 2024).

ICO (2024) The ICO's Policy Methodology. Available at: [policy-methodology.pdf \(ico.org.uk\)](#) (Accessed 20 May 2024).

OECD (2012) Recommendation of the Council on Regulatory Policy and Governance. Available at: [Recommendation of the Council on Regulatory Policy and Governance | READ online \(oecd-ilibrary.org\)](#) (Accessed 20 May 2024).

OECD (2014) Framework for Regulatory Policy Evaluation. Available at: [OECD Framework for Regulatory Policy Evaluation | OECD iLibrary \(oecd-ilibrary.org\)](#) (Accessed: 20 May 2024).

OECD (2019) Best Practice Principles for Regulatory Impact Assessment. Available at: [Best practice principles for regulatory impact analysis | Regulatory Impact Assessment | OECD iLibrary \(oecd-ilibrary.org\)](#) (Accessed: 20 May 2024).

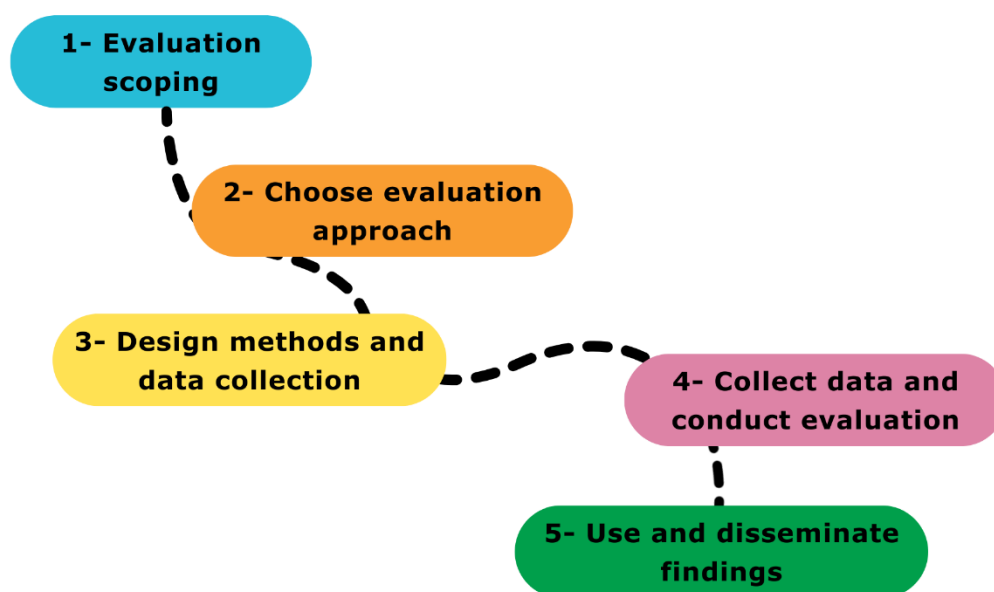
UK Evaluation Society (2018) Guidelines for Good Practice in Evaluation. Available at: [Good Practice Guidelines - UK Evaluation Society](#) (Accessed 20 May 2024).

Annex D: Supplementary guidance on full scale reviews

D.1 Key steps for a full-scale review

The diagram below sets out the steps that the ICO will follow when implementing a full-scale ex-post impact review of an intervention. The steps draw on guidance set out within HM Treasury's Magenta Book.

Figure 4: Steps of full-scale ex-post impact review



Source: HM Treasury Magenta Book.

D.2 Evaluation approaches and methods

The table below provides examples of the evaluation scope, approach and methods that the ICO will consider when implementing full-scale ex-post impact reviews. This draws on guidance from HM Treasury's Magenta Book (the Central Government guidance on evaluation) which provides further detail on evaluation scoping, choosing and implementing appropriate approaches and methods.

Table D1: Evaluation scope, approach and methods

Evaluation scope	Evaluation approach	Examples of potential evaluation methods
Process	Often based on primary research to assess how the intervention was implemented	<ul style="list-style-type: none"> Primary data collection methods

Impact	Theory based	<ul style="list-style-type: none"> • Realist evaluation • Qualitative comparative analysis • Contribution analysis • Process tracing • Simulation modelling
	Experimental (counterfactual approach)	<ul style="list-style-type: none"> • Randomised control trial
	Quasi-experimental	<ul style="list-style-type: none"> • Matching methods • Timing of events • Interrupted time series • Instrumental time series • Difference-in-difference
Value for Money	Assesses benefits against the costs of an intervention using monetary values	<ul style="list-style-type: none"> • (Social) Cost benefit analysis • Cost effectiveness analysis

Source: HM Treasury Magenta Book.

Annex E: How we decide our ex-post impact approach

To decide which category of assessment to use, we will consider the following questions:

- Is this an intervention we are spending a lot of time and putting a lot of resource into?
- Is there a limited existing evidence base?
- Are substantial outcomes and impacts expected to arise, as a result of the intervention?
- Has sufficient time passed to be able to measure the outcomes and impacts of the intervention?
- Is this a novel, or risky intervention, based on untested assumptions?
- Is the intervention high-profile or contentious?
- Is this a strategic cause area for the ICO?
- Is it feasible to undertake a full-scale review within the timescale and resources available?
- Can a counterfactual be identified?
- Are there learning opportunities and potential to act on lessons learnt and/or transfer learnings to other areas?

We will answer these questions with yes or no, and select an approach based on the responses:

- if we get considerably more 'no' than 'yes' categories, then we will likely conduct a light-touch review;
- if we get a similar number of 'no' and 'yes' categories, then we will likely conduct a medium-scale review; and
- if we get considerably more 'yes' than 'no' categories, then we will likely conduct a full-scale review.

Information Commissioner's Office

For more information or queries, please contact:

ImpactandEvaluation@ico.org.uk

September 2024