

## **Executive Team minutes**

### **Monday 2 June 2014**

#### **Members and other attendees present**

Daniel Benjamin	Director of Corporate Services
Simon Entwisle	Director of Operations
Christopher Graham	Information Commissioner
David Smith	Deputy Commissioner and Director of Data Protection
Graham Smith	Deputy Commissioner and Director of Freedom of Information
Peter Bloomfield	Senior Corporate Governance Manager (secretariat)

#### **1. Introductions and apologies**

- 1.1. There were no introductions or apologies.

#### **2. Matters arising from the previous meeting**

##### Minutes

- 1.2. The minutes of the previous meeting were agreed.

##### Action points

- 1.3. The outstanding action from the 6 May meeting, for the setting up of an IT steering group to oversee IT projects and their expenditure, was ongoing. It would be cleared in July. It was linked to the action from the last meeting to bring budget changes to Executive Team for agreement which remained outstanding.
- 1.4. Daniel Benjamin advised that a new Head of Finance Heather Dove had been appointed and would be joining the ICO on 28 July. The current temporary Head of Finance would provide a hand-over. This action was cleared.
- 1.5. The action to finalise the document detailing our approach to additional regulatory functions had been updated and would be on the ICO intranet shortly. This action was cleared.

### **3. Better for less**

#### Issue

- 1.6. For the record Christopher Graham advised Executive Team of planned changes to the senior management team at the ICO which had been fully discussed with the non-executive directors. A new role of Deputy Chief Executive Officer was proposed to combine the roles of Director of Operations and Director of Corporate Services, deputising for the Commissioner in his role as Chief executive of the office. This would help continue the alignment of corporate services to business needs. The Deputy Commissioners would maintain their focus on data protection and freedom of information and continue to deputise for the Commissioner in respect of his statutory responsibilities for the Data Protection and Freedom of Information Acts.
- 1.7. The change had meant that the current Director of Operations and Director of Corporate Services were at risk of redundancy. The Director of Corporate Services, Daniel Benjamin, had decided to take voluntary redundancy and would be leaving the ICO on 30 June. A slotting exercise had been undertaken, endorsed by members of the Remuneration Committee, Enid Rowlands and Andrew Hind. This had resulted in Simon Entwisle being confirmed as the new Deputy Chief Executive Officer from 1 July.
- 1.8. Christopher Graham would be discussing the matter further with the Ministry of Justice and the National Audit Office in the next few days and an announcement to staff and trade union side would be made on Wednesday 4 June.
- 1.9. Staff who needed to be consulted in advance had been advised and the Leadership Group would be advised of the changes at a meeting later today. Other than this, however, until announcements were made on Wednesday the matter was strictly confidential.
- 1.10. There would be some changes for some leadership group member responsibilities.
  - 1.10.1. Finance and Procurement, IT, Facilities and Organisational Development would report to the new Deputy Chief Executive Officer, with the new Head of Finance reporting to Louise Byers.
  - 1.10.2. Corporate Affairs would sit under the Commissioner given the close support the department provided in respect of press office, communications, planning and corporate governance.
- 1.11. In addition steering groups would be set up covering finance, IT and accommodation strategy.
- 1.12. Christopher Graham thanked Daniel Benjamin for his contribution towards the work of the office over the last two years.

#### Decisions

- 1.13. It was agreed to ask Leadership Group members to think about how they could contribute to the new steering groups.

### **4. Privacy seals (originally agenda item 3)**

#### Issue

- 4.1. Graham Smith introduced this paper. The proposal to proceed with the privacy seals project had been agreed by the Information Rights Committee but as it was a significant move for the ICO the proposal was also coming to Executive Team.
- 4.2. There was discussion about the complexity of what was proposed and the need to keep matters under close review. Resourcing the start-up of the project was also an issue with both up front staff costs for the ICO and a continual need to maintain the process.
- 4.3. Retaining fees paid for certification on a cost recovery basis was a possibility. This would need further discussion with the Ministry of Justice.

#### Decisions

- 4.4. The proposal to take the project forward was agreed by the Executive Team.

### **5. Any other business**

#### Pay remit for July 2014

- 5.1. Daniel Benjamin provided an update on the position in respect of the pay remit for July 2014. The business case relating to annual incremental awards was still with the Ministry of Justice and Treasury. The Ministry was supportive. The Ministry of Justice had also advised that they thought the rise in employer pension contributions due in 2015 would be less than originally expected.
- 5.2. The question of paying what were thought to be contractual development zone increases to relevant staff in their July salary, irrespective of the state of negotiations with trade union side, was raised. PCS had asked for the increases not to be paid. In principle this was agreed subject to further discussion with trade union representatives and before any wider announcement.

#### Data breach reporting

- 5.3. Daniel Benjamin raised the question as to whether the ICO should report on a data breach in the ICO's Annual Report and Accounts. There was a requirement to report non-trivial breaches.

It was agreed in this case to include the particular incident. Lesley Bett would be asked to provide a form of words.

#### Google

5.4. The ICO had to decide on how it would handle complaints against Google's handling of people's requests to have references to them removed from searches.