

Meeting	Executive Team	Date	05/05/2015
Agenda item	4	Time	15 Minutes
Proactive publication	No	Internal publication	Yes
Title	<b>Strategic Liaison Staffing Proposal</b>		
Presenter	Jonathan Bamford		
ICO Plan aim	6. An efficient ICO well prepared for the future		
Information rights strategy aim	5. Good information rights practice embedded into the culture and day-to-day processes of organisations and into emerging technologies and systems;		
Issue	<p>The demands on Strategic Liaison have increased and a recent review of the options to address these has concluded that an increase in staffing is required if it is to fulfil its tasks effectively. Strategic Liaison Department previously undertook a systematic workload and staffing review in 2013. Since then the volume and breadth of work has increased as the ICO has been increasingly successful in ensuring it exerts more influencing on important information rights developments both in practice with major stakeholders but also at a public policy level. This is reflected in the work and outcomes achieved by the department being defined as a measure in 14 separate areas of the ICO plan 2015-18. The level of demand now means that important work is not being undertaken, the quality of current work and levels of service have been impaired and pressure on staff has increased.</p>		
Decision	To increase the Strategic Liaison Department staffing by four level E posts		
Financial impact			

	The cost of the increase of four level E posts has been including in the 2015-16 budget
Risks	<p>Failure to approve: Important work will not be undertaken, current levels of engagement may be reduced as work continues to increase, the ICO's influence will be diminished and service standards will not be recovered (high risk)</p> <p>Approval: There will be insufficient work for the posts (low risk)</p>

## Background

The workload of Strategic Liaison department has increased and is struggling to meet the demands placed on it. A review of workloads and options to address the problem has been undertaken. This concluded that an increase in staffing is required. It is important that the department is effective in discharging its tasks as these contribute to 14 defined measures of success in the ICO Plan 2015-18.

Strategic Liaison previously undertook a systematic workload and staffing review in February 2013. That followed on from increases in work as Strategic Liaison developed its role after its creation under Project Evolve. The staffing increases requested then were modest: two additional senior policy officer (level E) posts and changes resulting in an additional policy officer post (level C). This request was approved by Executive Team in 2013. The current Strategic Liaison staffing structure is shown at Annex A.

The 2013 paper to ET requesting these changes at level E identified this as a minimum necessary to deal with current demands. It flagged that each Strategic Liaison team should ideally operate with three level E posts per team rather than two to produce greater resilience.

Since that review there has been an increase in workloads across the four Strategic Liaison groups. This has occurred because of a number of factors. In some ways the ICO is a victim of its own success in bringing information rights centre stage, the range of innovative developments affecting information rights have continued apace and there is an increasing understanding by organisations and policy makers that information rights concerns must be addressed in new developments. The ICO's efforts to be a constructive and influential regulator have paid dividends but this has meant that levels of engagement have increased. Much of that engagement has fallen to Strategic Liaison to take forward.

There are some crude but clear indicators of how work has increased and performance had suffered. Since the last workload review in 2013 the number of stakeholder 'meetings' has increased by 27% and is now running at 865 pa in 2014/15. The range and depth of the issues covered by the Strategic Liaison business plan has increased during this time. Although this is not so easy to convey in numbers, the department's business plan is circulated to ET on a tri-annual basis and this reflects how the work has developed over time. The Strategic Liaison contribution to the Management Board Information Rights Report also reflects the increased breadth and depth of work.

Although Strategic Liaison does detailed business planning three times a year specifying the issues it will deal with in the next four month period and the activities and outcomes it intends to achieve not all these have been achieved or progressed as planned. This has been due largely to having to prioritise due to shortfalls in resources. This is exacerbated by increasing volatility. In the last year Strategic Liaison had to deal with 295 unplanned activities. Examples are varied but include: substantial changes to communication's data legislation as a result of a CJEU judgment, input into reviews and government policy advice dealing with historic child abuse such as the HMIC post Savile 'Building the Picture' review and Rochdale inquiry, the government's 'open policy making' work on data sharing and commercial/ technology innovation developments like Facebook's emotional contagion research. These examples give the range of these 'off plan' developments that have needed resourcing.

The amount of work that has continued to flow in has compromised Strategic Liaison's ability to deal with all these effectively. Forty separate issues that the department would ordinarily have dealt with have been either deferred or declined during the year. These range from deferring important work with credit reference agencies on reviewing credit defaults, not undertaking engagement with stakeholders like civil society organisations and not pursuing concerns about the National Domestic Extremist Database. There has also been deterioration in the department's service standards such as delays in responding and failure to do notes of meeting with stakeholders. In Strategic Liaison's last bi-monthly report circulated to the rest of the ICO only 11% of meetings shown had contact reports written for them. The service standard is 100% done within five working days of the meeting. Essential record keeping is being sacrificed to keep up with external work demands and important information is carried around in people's heads or written in their notebooks rather than added to the corporate memory.

Workloads have further increased as a result of internal organisational change elsewhere in the ICO. The implementation of Project Eagle introduced 'sectoral' tasking and coordination groups (TCG). Strategic

Liaison plays a significant role in these as the department is organised on a sectoral basis. That expertise and experience of a sector is important to the TCG process. Although Strategic Liaison staff have been keen participants and see the value of this approach, resourcing this level of participation has reduced time available for other core activities.

The culmination of this is that Strategic Liaison no longer has the staffing resources it needs to meet the demands placed upon it now or in the foreseeable future. This is not just affecting performance; it is having an impact on staff as they struggle to cope with the demand. It may also have an impact on achieving the measures in the ICO Plan related to Strategic Liaison's performance.

## Options considered

Strategic Liaison managers have undertaken detailed workload reviews for each Group. These covered:

- Current position:
  - Current range of work undertaken
  - Relative loading of work by grade
  - Increase over previous year's levels and current year forecasts
  - Work not undertaken/deferred
  - Level of service requirements not being met
  - Adverse human factors including effect on well-being of staff
  - Short term factors that may affected the situation that need to be discounted such as staff turnover
- Future demands:
  - Predicted work for 2015-16
  - Ability to resource with current staffing level
  - Likely effect on level of service and staff
- Group level mitigation measures:
  - Work that could be dropped/not started
  - Efficiencies and changes to working methods to try to accommodate within existing resources
  - Group level organisational changes that could be made
  - Practical consequences for the deployment of mitigation measures
- Conclusions and recommendations for that Group

These reviews concluded that there was an underlying shortfall in staffing resources to enable each team to undertake its allocated task and those likely to arise in the foreseeable future. This shortfall occurred at the group manager/ senior policy officer level as these undertake most of the lead work on complex issues and with important stakeholders including the negotiating and influencing activities. It was felt that increasing senior

policy officer resource would also help reduce the current heavy burdens on group managers.

The primary means of mitigation was to become increasingly selective in the work undertaken declining/deferring even more work that at present. This approach would lead to Business Plan and, by association, ICO Plan commitments not being achieved so was not seen as sustainable long term solution without a change in corporate emphasis. There were no identified additional business process changes that would improve efficiency and help address the shortfall. Existing initiatives may already have realised the majority of efficiency saving such as doing more work by teleconference or holding meetings at the ICO. In the last year 55% all meetings were undertaken this way but given the nature of contact, including major multi organisation meetings, it is difficult to see that figure increasing by enough to make a telling difference. Mobile working solutions when applied may also have a positive impact but this would be more around recovering level of service standards and improved professionalism/performance rather than freeing up substantial periods of time for engagement activities.

A number of staffing/ organisational solutions were considered including creating a whole new group ( 1xF,2xE,1xD, 1xc) to either undertake redistributed sectoral responsibilities or act as a cross sectoral issues team taking responsibility for specific cross sectoral issues like data sharing. This was discounted due to the complexities in amending existing group sector focus/expertise and the resources going further than those identified as required.

The preferred option was to increase the senior policy officer resource in each team as that was where the shortfall in capacity is in practice. This was a consistent theme across all groups. This measure was also seen as having a beneficial effect on tackling the excessive work load of the Group Manager posts as more work could be delegated.

Although the proposal is to deal with resource shortfall in Strategic Liaison based on current and predicted work, the workload review did consider whether there were other benefits that could be realised. The option of taking on other work from the International Team was considered as this has its own staffing resource issues. It was felt that if an additional level E post is added to the Police, Justice and Borders group (PJ&B) then they could take over the borders and law enforcement work undertaken by the International Team related to the joint supervisory authorities ( Europol, Schengen Information System, Customs Information System and Eurodac) and Article 29 Working Party's Borders Travel and Law Enforcement sub group. PJ&B already deal with all the domestic aspects of this work and provide advice/support to the International Team. This work could be absorbed in to that Group with marginal effect if additional

level E resources were applied. This would increase efficiency by reducing double handling and release hard pressed resources in the International Team for other pressing matters particularly as the work on the changes to the EU data protection framework gathers renewed momentum. This suggestion has been discussed with the Director of Data Protection who manages the International Team and he supports it.

The workload review's conclusion and recommended option is to increase staffing by one level E post in each of the four groups resulting in an increase of four level E posts across Strategic Liaison.

### Staffing issues

The proposal will reduce heavy burdens on certain staff improving staff well-being

### Devolved office issues

None

### Accommodation issues

No additional desks are requested. The extra staff will be accommodated within the current agile working environment. The deployment of mobile working solutions will also allow the freedom to work around the building in unoccupied meeting rooms and enable ad hoc home working reducing pressure on desks still further.

### Environmental issues

The additional staff may enable the ICO to fulfil more commitments involving travel. Strategic Liaison has sustainability targets in its business plan. Last year's effort to meet these resulted in 40% of all 'meetings' undertaken using ICO teleconference facilities avoiding travel and reducing the ICO's carbon footprint. These targets will remain.

### Privacy issues

No specific issues. The proposal is aimed at ensuring the ICO continues to be influential in privacy issues at a national level.

### Equality and diversity issues

The posts will be recruited using the ICO's recruitment procedures which are designed to ensure equality and diversity in our workforce.