

## **Management Board minutes**

### **Monday 6 November 2017**

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

Paul Arnold	Deputy Chief Executive Officer
Emma Bate	General Legal Counsel
Ailsa Beaton	Non-executive Director
David Cooke	Non-executive Director
James Dipple-Johnstone	Deputy Commissioner (Operations)
Elizabeth Denham	Information Commissioner (chair)
Jane McCall	Non-executive Director
Steve Wood	Deputy Commissioner (Policy)
Nicola Wood	Non-executive Director
Peter Bloomfield	Senior Corporate Governance Manager (secretariat)
Amanda Williams	Principal Policy Adviser (observer)

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

- 1.1. Elizabeth Denham advised that Simon Entwisle had sent his apologies. He was unable to attend what would have been his last Management Board meeting before his retirement. Elizabeth wanted to record her personal thanks to Simon for his support and to his wider commitment and work for the ICO over the last 13 years. This was echoed by other board members.
- 1.2. Emma Bate was welcomed to her first official meeting in support of the Management Board. Amanda Williams was also welcomed as to the meeting as an observer.

#### **2. Declaration of interests**

- 2.1. There were no declarations of interest.

### 3. Matters arising from the previous meeting

- 3.1. The minutes had been agreed in correspondence. There were no suggested amendments.
- 3.2. There were no outstanding actions.

### 4. Commissioner's introduction

- 4.1. The Commissioner provided an update on the work of the ICO and issues affecting it.
- 4.2. In general the focus of the office was very much on preparation for GDPR in May 2018 and the progress of the DP Bill through Parliament.
- 4.3. International work was also a priority. The office had recently hosted an international conference in Manchester and the Commissioner had attending the ICDPCC in Hong Kong.
- 4.4. In respect of GDPR guidance, the ICO was working towards a core of guidance which crossed all sectors and specific guidance for sectors which were a priority in terms of awareness, such as SMEs and charities. The need to wait for agreement on Article 29 guidance introduced some delay but consistency was required.
- 4.5. Staff recruitment and retention remained an issue and steps were being taken to mitigate the risks in this area. Paul Arnold expected to bring an options paper to the February Management Board.

### 5. Discussion items

#### **Data Ethics and Data Protection**

- 5.1. Steve Wood introduced a briefing paper on data ethics and on proposals for taking work this area forward which the ICO was inputting into.

#### **Regulatory Action Policy**

- 5.2. James Dipple-Johnstone presented a draft Regulatory Action Policy. The document aimed to combine five current policies across data protection and freedom of information which explained what the ICO does; not just in terms of enforcement but covering casework and intelligence work. This would simplify the ICO messages in this area and update ICO work to cover GDPR and other changes.
- 5.3. The Board supported the aims of the change and the approach being taken.

#### **Resource and Infrastructure Strategic Plan**

- 5.4. Paul Arnold introduced a draft Resource and Infrastructure Plan which pulled together the different on-going work in this area into one document. It had been to the

Senior Leadership Team. The document was aimed at staff and key stakeholders.

- 5.5. The plan was supported by the Board which provided minor comments of detail. Paul Arnold was to amend the plan as per the discussion and to publish it.

### **ISO 27001**

- 5.6. Paul Arnold advised that the ICO wished to seek ISO 27001 accreditation by quarter two next year. The matter had been brought to Audit Committee and Ailsa Beaton, chair of the Audit Committee, explained the Committee's support for the decision.
- 5.7. The Board confirmed that the ICO should go ahead and seek ISO 27001 accreditation.

## **6. Board performance review process**

- 6.1. A process for assessing the performance of Board members had been presented at the last Board meeting. Following discussion at that meeting the process had been amended further and agreed by Non-executive Directors in correspondence.
- 6.2. The Board agreed the revised process.

## **7. Risk and opportunity management**

- 7.1. The Corporate Risk and Opportunity register was reviewed.
- 7.2. The increasing difficulty in recruiting staff externally was noted. Mitigation included the possible outsourcing of some work.
- 7.3. The Board also considered that the risk status related to the ICO's new funding model should to be raised due to timing issues.

## **8. Performance against the Information Rights Strategic Plan**

- 8.1. The report on performance against the Information Rights Strategic Plan was presented for information. It was noted that the report was evolving and comments were welcomed.
- 8.2. It was thought, to enable the detail which followed to be put into context, that the report needed an introduction giving a view on overall performance before providing the detail, which could give a misleading impression as to what the ICO was actually achieving.
- 8.3. Elizabeth Denham confirmed that her view was that, given the amount of change the ICO was preparing for, ICO performance was exceptional.

## 9. Management accounts

- 9.1. The quarterly finance report was presented for information. The difficulties in estimating future income and expenditure were noted.

## 10. Supporting information

- 10.1. This agenda item was an opportunity for the Board to discuss matters raised in supporting information.
- 10.2. In respect of the DCEO Directorate report, the Board asked for information in future reports on the seriousness of ICO information security breaches concerning personal data. The Board also asked for issues in the report shown as amber or red to be explained.
- 10.3. Noting the Operations Directorate performance report, the Board commented that maintaining this excellent performance was a significant achievement given the unprecedented change the organisation was undertaking.
- 10.4. It was confirmed by Elizabeth Denham that Corporate Governance and Organisational Development would bring a paper to the next Management Board on how the Board would cover its responsibilities it had taken on from the Remuneration Committee.