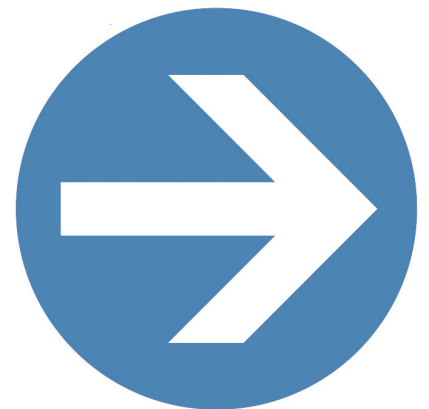


ICO plan 2012-2015

Upholding information rights

ICO plan 2012-15

Final v1.2
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ICO plan 2012-2015

Introduction

Upholding information rights – the right to privacy and the right to know – is central to delivering the benefits of the information revolution. Your dealings with your bank or the local council; your shopping or travel; your social life and communication with friends. How public services are best delivered to citizens. How commercial organisations deal with consumers. All these require due respect for information rights in order to work for citizens and consumers – and, indeed, in order to work at all. So information rights matter both to individuals and to organisations.



The Information Commissioner's Office (ICO) is at the heart of the information rights business. We enforce both the Data Protection Act and the Freedom of Information Act and associated legislation such as the Privacy and Electronic

Communications Regulations and the Environmental Information Regulations. So we have a central role to play in helping to make sure that the information society operates as it should. But the ICO cannot deliver that objective on its own. We need a change of culture around information rights, not mere compliance. Positive and proactive, not negative and grudging. A culture change that embraces many different partners in the information rights business. The ICO can be the catalyst for that cultural change.

Over the past couple of years we have been working towards our own Olympic challenge. 'By 2012 we will be recognised by our stakeholders as the authoritative arbiter of information rights, delivering high-quality, relevant and timely outcomes, responsive and outward-looking in our approach, and with committed, high-performing staff – a model of good regulation and a great place to work and develop.' Our plan for the next three years puts that training into action.

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Ready

We will need to respond to significant developments in information rights. The push for open data and transparency. The review of the EU data protection framework. Post-legislative scrutiny of the Freedom of Information Act. Full implementation of the 'cookie' regulations. Data sharing in the public service. The impact of changes in the NHS, public service reform, and the drive for localism. The implications of data storage in the 'cloud'. The need for better international co-operation to respond effectively to global developments.

Steady

Just as the activities we regulate don't stand still, neither can we. The challenge for the ICO is to respond to developments effectively despite the squeeze on our resources. In lean times we have to secure 'better for less'. In response, we have already become more efficient at dealing with casework and enquiries, reducing the age of our caseload despite handling more cases. We've cut our cost per freedom of information case from roughly £1,300 in 2009/10 to a projected £934 for 2012/13. Helping us continue this process, a new Director of Corporate Services is joining a slimmed down senior management team. He will lead the drive for efficiency and provide effective backup to our policy and operations functions. We'll be seeking efficiencies in purchasing and in third party contracts. We'll pursue a continuous improvement approach in all we do.

Go

How we go about our job can be summed up in terms of five E's:

- Educate
- Empower
- Engage
- Enable
- Enforce.

The ICO needs to help both organisations and individual citizens and consumers with advice and guidance in respect of their responsibilities and their rights around data protection and freedom of information. That's the **education** role.

With the right information and the right tools, people can better look after themselves, protect their personal data, and make effective use of their rights to information. Such **empowerment** can come from many sources, but it can be prompted by the work of the ICO.

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It's vital that the ICO is alert to developments in technology and business and **engages** with partners and stakeholders. We need to contribute to the very live debates around public policy, striking the right balance between openness and privacy.

The ICO is not here just to say 'no'. We can **enable** new and exciting things to happen, but happen legally and safely. But when we need to **enforce**, enforce we shall: proportionately, fairly and effectively.

Christopher Graham
Information Commissioner

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Our goal, vision and mission

The ICO's goal is to achieve a society in which:

- All organisations which collect and use personal information do so responsibly, securely and fairly.
- All public authorities are open and transparent, providing people with access to official information as a matter of course.
- People are aware of their information rights and are confident in using them.
- People understand how their personal information is used and are able to take steps to protect themselves from its misuse.

Mission

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

Our vision

To be recognised by our stakeholders as the authoritative arbiter of information rights, delivering high-quality, relevant and timely outcomes, responsive and outward-looking in our approach, and with committed and high-performing staff – a model of good regulation and a great place to work and develop.

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Our strategic outcomes

To fulfil our mission and vision and to achieve our goals we have identified the strategic outcomes we are seeking to achieve:

- A high proportion of individuals with a basic awareness of their information rights, coupled with ready access to information on how to exercise those rights.
- Development of people's understanding of information rights and risks embedded as an output of the formal education system.
- Organisations routinely meeting their legal obligations in the way they respond to people exercising their rights.
- A high level of awareness in organisations of all their wider obligations under information rights law with those obligations routinely met in practice.
- Good information rights practice embedded into the culture and day-to-day processes of organisations and into emerging technologies and systems.
- Good information rights practice and the upholding of information rights being demonstrably driven by ICO's casework and secured and underpinned by the use of ICO's regulatory tools.
- Organisations and individuals aware of the ICO's investigatory and enforcement powers and the consequences of failing to meet the requirements of information rights law.
- A legislative framework for information rights that is integrated and consistent, underpins good information rights practice, furthers the upholding of information rights and enables the ICO to be an effective regulator.
- The law, technology and public policy developed and deployed consistently with ICO's goal, but without imposing disproportionate burdens on organisations.
- The public confident in information rights law as necessary, serving the public interest, effective in practice and properly enforced.

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Our 2012-15 corporate objectives

The ICO has identified the following seven objectives, achievement against which will enable us to achieve our strategic outcomes.

1. We will give priority to **educating** organisations so that they can better understand their information rights obligations.
2. We will provide a fair and efficient complaints resolution process, **enforcing** the law where the risks are the most significant and doing more to use the lessons learned as a means of **educating** organisations.
3. We will promote good information rights practice, **enabling** organisations to meet their information rights obligations more easily.
4. We will take firm and decisive action, **enforcing** the law proportionately when organisations fail to meet their information rights obligations.
5. We will provide advice and develop new initiatives aimed at **empowering** individuals and others through the exercise of their information rights.
6. We will constantly be alert, spotting developments and responding to risks, **engaging** with a wide range of stakeholders to present the information rights perspective.
7. We will improve the way we work, evolving so that we continue to be an effective, efficient organisation delivering value for money.

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Our corporate plan

1. We will give priority to educating organisations so that they can better understand their information rights obligations.

	How we will achieve this	Measures	Due dates
1.1	Providing a responsive helpline that is knowledgeable and flexible enough to provide advice to organisations at the first point of access.	Annual Track survey. Baseline telephone satisfaction survey. Internal service measures.	October 2012 Ongoing Ongoing
1.2	Providing a written advice service that responds to questions from organisations in a timely manner.	90% answered in 30 days.	October 2012
1.3	Providing a website with better focussed guidance, including case studies and examples, that helps organisations find the guidance they need and promotes self education.	Film case stories. Website user testing. Stakeholder survey.	September 2012 December 2012 March 2013
1.4	Using the media to highlight information rights issues and publicise good practice.	Annual Track survey. Media monitoring.	October 2012 Quarterly
1.5	Running information rights campaigns targeted at priority areas, identified on a risk basis, to highlight concerns and improve information rights practice.	Stakeholder survey. Individual campaign evaluation.	December 2012 Ongoing

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2. We will provide a fair and efficient complaints resolution process enforcing the law where the risks are the most significant and doing more to use the lessons learned as a means of educating organisations.

	How we will achieve this	Measures	Due dates
2.1	Providing a complaints handling service that arrives at decisions in a timely manner, with an authoritative but proportionate response, using informal complaints resolution where appropriate and focussing on areas of compliance that hold the biggest risk to individuals and where remedial action needs to be taken.	Internal service measures. Benchmarking against other regulators.	Ongoing
2.2	Using information contained in the number and type of complaints and enquiries we receive to spot trending areas of public concern or specific current issues. Responding appropriately by providing up to date targeted advice on the helpline and website.	Review ICO priority areas.	April and October 2012
2.3	Publishing more information about complaint outcomes to better inform individuals and organisations as to what is being done to meet common concerns.	Improved website content.	May 2012
2.4	Proportionate and efficient handling of appeals against our freedom of information decision notices in our role as respondent in the first tier and upper tribunal.	Cost per appeal.	Monthly

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3. We will promote good information rights practice, enabling organisations to meet their information rights obligations more easily.

	How we will achieve this	Measures	Due dates
3.1	Undertaking a comprehensive programme of audits, sharing recommendations to highlight best practice and following up on improvement activity.	Annual Track survey. Surveys of audited organisations.	October 2012 Ongoing
3.2	Reviewing how we present the information rights concepts of privacy by design, privacy impact assessments and accountability.	Review completed and decision on how to proceed made.	March 2013
3.3	Reviewing areas of highest information rights risk and developing action plans to address these risks; including closer liaison with relevant organisations.	Reviewing ICO priority areas. Priority action group reports on action plans to Information Rights Committee.	April and October 2012 Quarterly.
3.4	Developing codes of practice that address specific information rights issues and ensuring existing guidance is up to date and relevant.	Completion of Anonymisation Code of Practice. Completion of guidance project.	September 2012 March 2013
3.5	Developing publication schemes to improve proactive disclosure by public authorities in parallel with government's transparency agenda.	Updated publication scheme guidance.	March 2013

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	How we will achieve this	Measures	Due dates
3.6	Supporting small and medium sized enterprises by providing effective guidance to them and their advisers.	Customer satisfaction with ICO helpline advice. 55 good practice advisory visits. Audit self assessment offered to all data controllers on the ICO register following implementation of the ICE project.	October 2012 December 2012
3.7	Providing specific expert guidance to major stakeholders on ongoing activities and on the development and implementation of new initiatives which raise substantial information rights concerns.	Meeting of specific targets in Strategic Liaison business plans. Analyse results from stakeholder perception study.	March 2013 June 2012
3.8	Reviewing how we communicate with organisations to ensure the ICO is using the most effective means available.	Analyse results from stakeholder perception study and annual track survey. Share findings and implement agreed recommendations.	June 2012 December 2012

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4. We will take firm and decisive action, enforcing the law proportionately when organisations fail to meet their information rights obligations.

	How we will achieve this	Measures	Due dates
4.1	Improving the compliance of organisations handling personal information by issuing civil monetary penalties for serious breaches of the Data Protection Act or the Privacy and Electronic Communications Regulations.	Issue monetary penalties in appropriate cases. Research on civil monetary penalties effectiveness.	October 2012
4.2	Investigating and prosecuting those who commit criminal offences under the Data Protection and Freedom of Information Acts.	No specific measures for prosecutions.	Ongoing
4.3	Monitoring whether public authorities respond to freedom of information requests in a timely manner.	Annual report outlining the effectiveness of monitoring.	July 2012
4.4	Monitoring whether data controllers respond to subject access requests in a timely manner.	Assessment of the effectiveness of monitoring.	March 2013
4.5	Ensuring that organisations sign up to formal undertakings when improvements to information rights practices are required but more serious enforcement action is not warranted.	Report on compliance.	October 2012
4.6	Ensuring that organisations sign up to formal improvement action plans when we are alerted to information rights complaints	To have ten plans signed up to. Review the effectiveness of the initiative. 90% of	October 2012

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	How we will achieve this	Measures	Due dates
		recommendations to have been completed on follow up.	
4.7	Continuing to encourage the Government to activate the legislation that would allow courts to consider penalties (such as community service orders or the threat of prison) for the unlawful trade in personal information.	Legislation activated. Liaison with Ministry of Justice.	Ongoing Quarterly
4.8	Reviewing how we use our enforcement powers and other less formal means of ensuring compliance, so that our complaints resolution process can best contribute to delivering desired outcomes.	Review completed.	31 March 2013

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5. We will provide advice and develop new initiatives aimed at empowering individuals and others through the exercise of their information rights.

	How we will achieve this	Measures	Due dates
5.1	Promoting to the public the benefits of transparency initiatives, proactive disclosure and publication schemes.	Develop and implement a "benefits of transparency" campaign. Reorganisation of the "for the public" section of the website.	December 2012 March 2013
5.2	Working with civil society and consumer groups to reflect their concerns in the ICO's information rights policy and to help individuals protect their data and enforce their freedom of information rights.	Six meetings with civil society organisations.	March 2013
5.3	Understanding existing, and identifying emerging, consumer concerns.	Annual Track survey.	October 2012
5.4	Working within the education system, eg research into embedding information rights into the curriculum.	Action plan developed.	June 2012
5.5	Seeking to extend the ICO's reach into all parts of the country and sections of society to achieve equality of access to information rights and our services.	Measuring website compliance with accessibility guidelines.	September 2012

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6. We will constantly be alert, spotting developments and responding to risks, engaging with a wide range of stakeholders to present the information rights perspective.

	How we will achieve this	Measures	Due dates
6.1	Engaging with public policy initiatives across the board to make sure they reflect and respect information rights.	Log of ICO responses to consultations. Meeting of specific targets in Strategic Liaison business plan.	Following consultations timetable As set out in the business plan
6.2	Inputting into transparency and Open Data initiatives to ensure a balanced information rights perspective.	Working with the Cabinet Office and National Archives. Meeting of specific targets in the Strategic Liaison business plan.	As set out in the business plan
6.3	Reporting as necessary to Parliament and liaising with the Scottish Parliament and the devolved assemblies.	Evidence submitted. Meeting of specific targets in the Strategic Liaison and Regional Office business plans.	Following Parliamentary timetables As set out in the business plan.
6.4	Engaging with the post legislative scrutiny of the Freedom of Information Act.	Evidence to the Justice Committee and working with the Ministry of Justice.	Following Parliamentary and Government timetables.

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	How we will achieve this	Measures	Due dates
6.5	Contributing actively to debates on the future shape of the EU data protection framework, seeking practical and enforceable rights for citizens and relevant and proportionate obligations for business.	Significant input to the Article 29 Working Party. International activity report to Information Rights Committee.	July/October 2012
6.6	Working for greater consistency and better coordination internationally in the face of global challenges.	Participation in international meetings to promote enforcement cooperation.	May 2012
6.7	Strengthening the ICO's ability to understand and to respond to technological developments.	Enhanced technology function in place. Two meetings of the Technology Reference Panel.	October 2012 March 2013
6.8	Developing and implementing a research strategy addressing the information rights agenda.	Research strategy in place. Research completed.	April 2012 As set out in the strategy

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7. We will improve the way we work, evolving so that we continue to be an effective, efficient organisation delivering value for money.

	How we will achieve this	Measures	Due dates
7.1	Exploring an alternative funding model for the ICO that recognises the interrelation of our freedom of information and data protection work.	Options fully investigated	March 2013
7.2	Improving efficiency, particularly in corporate support functions and in purchasing and third party contracts.	Planning and budgeting for 2013/14.	March 2013
7.3	Implementing our IT strategy to ensure we have robust and affordable IT with flexibility to respond to changing needs:		
	<ul style="list-style-type: none"> re-procuring our IT managed service contract 	A reduction in the cost of providing IT.	July 2013.
	<ul style="list-style-type: none"> completing the replacement of our notification software 	Online registration and payment. 90% of transactions online.	September 2012 March 2014
	<ul style="list-style-type: none"> updating our accounting software 	System in use.	September 2014
	<ul style="list-style-type: none"> updating our casework management software with a gradual move to new functionality and our CRM software. 	Business requirements complete.	July 2013
7.4	Training and developing our staff so we can effectively and efficiently deliver business outputs, focussing on development activity which adds value and promotes professional growth.	Evaluation of learning and development activity.	March 2013

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	How we will achieve this	Measures	Due dates
7.5	Listening and responding to results from the 2011 staff survey.	Reviewing performance against action plans	March 2013
7.6	Embedding diversity and our values so that they are an everyday part of how we work and our decision making.	Staff survey. Performance Development Reviews.	March 2013 April/May 2013
7.8	Implementing the knowledge management strategy so that our core business knowledge is consistently captured, shared and used in the most efficient and effective way possible.	Knowledge management assessment.	March 2014
7.9	Continuing to review and improve the ICO's corporate governance and its own compliance with information rights legislation:		
	<ul style="list-style-type: none"> working more efficiently to maintain our performance in responding to information requests made of us, against a backdrop of increasing numbers of requests. 	95% of requests within statutory deadlines.	March 2013
	<ul style="list-style-type: none"> identifying and acting upon opportunities to proactively disclose information. 	Analysis of information requests and increased proactive disclosure.	March 2013
	<ul style="list-style-type: none"> continuing to embed good information handling behaviours across the ICO. 	Policy review completed. Refreshed programme of awareness. Results from monitoring.	March 2013
	<ul style="list-style-type: none"> implementing an ICO internal assurance framework 	Framework investigated and implemented.	March 2013

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	How we will achieve this	Measures	Due dates
7.10	Contribute to the government's targets on sustainability.	Year on year reduction in green house gas emissions.	Report on performance in Annual Reports.

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Our values

We will support delivery of our corporate plan by living our values. We are:

- **Committed**
We care about upholding information rights.
- **Team workers**
We work together as one ICO team, sharing information and expertise.
- **Focused**
We give priority to activities that make the biggest contribution to achieving our mission.
- **Effective**
We work to produce high quality and timely outcomes.
- **A model of best practice**
We do not ask others to do what we are not prepared to do ourselves.
- **Alert**
We are alert to the views and needs of our stakeholders and to the potential impact of new developments.
- **Fair**
We treat everybody we deal with fairly and with integrity and respect. We are inclusive in our approach.
- **Always learning**
We are always learning and developing professionally.

