

## **Leadership Group minutes**

29 July 2014

### Members and other attendees present

Andy Laing	Head of Performance Improvement
Anne Jones	Assistant Commissioner (Wales)
Christopher Graham	Information Commissioner (Chair)
Dave Wells	Head of IT
David Smith	Deputy Commissioner and Director of Data Protection
Graham Smith	Deputy Commissioner and Director of Freedom of Information
Heather Dove	Head of Finance
Judith Jones	Group Manager Government & Society
Ken Macdonald	Assistant Commissioner (Scotland/NI)
Louise Byers	Head of Good Practice
Paul Arnold	Head of Customer Contact and Business Development
Robert Parker	Head of Corporate Affairs
Simon Entwisle	Deputy Chief Executive Officer
Steve Eckersley	Head of Enforcement
Steve Wood	Head of Policy Delivery
Neil Bostock	Corporate Governance Officer (secretariat)
Louise Mottershead	PA to the Information Commissioner (secretariat)

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

Heather Dove, the new Head of Finance, was welcomed to her first Leadership Group meeting. Apologies were received from Mike Collins and Jonathan Bamford. Judith Jones was welcomed to the group in place of Jonathan.

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

Issues: The agreed minutes were presented for any further amendments and action points for clearance.

Decisions: There were no further amendments to the minutes and action points had all been cleared at the previous meeting.

Paul Arnold confirmed that the Clear Communication actions were on track and outstanding actions were due to be complete in the autumn. Christopher Graham again emphasised the importance to the office of maintaining the high profile of this important piece of work amongst staff.

## **3. Feedback on recent Ministry of Justice Liaison and Management Board meetings**

Issues: Christopher Graham gave the group an overview of recent discussion at Ministry of Justice (MOJ) Liaison and Management Board meetings.

### MOJ Liaison

- There has been no movement on development of a future funding model for the ICO.
- The Cabinet Office has asked that the ICO undergo a triennial review by the MOJ. The ICO had originally been exempted from the process.
- ICO guidance relating to the media and the Data Protection Act will be launched on 4 Sept at the House of Commons.
- New ICO responsibilities under the proposed Data Retention and Investigatory Powers Act have been confirmed. The intention will be to create a new audit team funded by the Home Office.
- On Friday 1<sup>st</sup> August, Katherine Lee is due to visit the Wilmslow offices.

### Management Board

- The meeting on 28 July was Neil Masom's last as an ICO non-executive director. Neil was thanked for his contribution to the work of the Board and the Audit Committee over the last few years. Ian Watmore will replace Neil as chair of the Audit Committee. Ailsa Beaton will shortly join the Board and Enid Rowlands is due to leave the ICO from 31 December.
- The risk register was discussed. It was emphasised that it should be used as a management tool with better links to the corporate plan.
- Changes to terms of reference for various committees had been considered, linked to the recent re-organisation. More clarity was

wanted as to the circumstances in which Leadership Group made decisions.

- The increase in staff turnover and absence was noted.

#### **4. LG planning day**

Issues: This agenda item was an opportunity for the group to discuss what members wanted from the planning day scheduled for 9 September.

Discussion included the inclusion of:

- SWOT analysis.
- PESTLE analysis.
- The big challenges the ICO faces.
- Technical developments.
- Senior management succession planning.
- Whether an external facilitator was needed.

Decisions: It was agreed that:

- Attendance from a non-executive director would be useful for the planning session.
- Simon Rice's recent paper on "New and emerging technology" would give Leadership Group enough background on relevant technical developments.
- The results from the Annual Track survey would be presented at the meeting

Actions: Corporate Governance to consult with Heads of to draw up a detailed plan for the day's event.

#### **5. Changes to the Performance Development Review process**

Issues: The recent Employee Voice initiative has informed and instigated a review of the current Performance and Development Review (PDR) process. The proposals were:

- Only two overall ratings – effective or not effective.
- No requirement to measure performance against the values.
- The process would be documented on the MINFO system.
- Those who were not effective would not get a pay rise.
- Further means to reward and recognise good performance would be developed separately.

Agreement has been reached with the unions for use of two ratings.

Decisions: It was agreed that a form based PDR process be implemented as soon as possible, preferably at the mid-year point. MINFO should not be used until it is completely fit for purpose.

Actions: Andy Laing and Mike Collins to work on the reward and recognition work stream and to decide on exact time frames for implementation.

## **6. A new approach to probation**

Issues: The ICO's current approach to probation was felt to be too prescriptive and it did not encourage managers to proactively deal with performance issues. Leadership Group were asked to provide views on proposed changes and to agree the way forward.

Discussion centred on the lack of appeal rights for the probationer and whether the process is objective enough to be confident of a fair outcome.

Decisions: It was agreed to bring the revised policy to Executive Team with amendments to the description of the conversation between employee, manager and HR to ensure total objectivity.

## **7. Business continuity plan – key priorities**

Issues: Leadership Group was asked to confirm the current key priorities which must be reviewed annually.

Decisions: It was decided that whilst the key priorities did not require change, more work could be done to update the plan itself to reflect new working from home policies and communication developments. This was already in hand.

Actions: Corporate Governance to ensure the plan is re-launched in the next few weeks.

## **8. Staff engagement survey**

Issues: Rob Parker provided an update on plans for the 2014 staff engagement survey. He also asked for confirmation as to who should be the sponsor for the project and asked for representatives from the group to sit on the advisory panel.

Decisions: Paul Arnold volunteered to join the advisory panel. There would also be input from the regions via Ken Macdonald.

The logic of one or two questions was questioned.

It should be explained to staff that the survey was based on a Civil Service questionnaire to save money.

## **9. Annual track**

Issues: Previously Leadership Group had agreed the objectives for the Annual Tracking Survey which this year will be focused on individuals rather than organisations. In addition it had been agreed that the survey would be online rather than telephone based.

Some alterations to questions were suggested and members were asked to email Rob Parker any further thoughts after the meeting.

Decisions: The questions were to be finalised shortly after the meeting.

Actions: Comres, the company undertaking the research for the ICO, will present the findings to the September meeting of the Leadership Group.

## **10. Any other urgent business**

Rob Parker gave an update on the 0845 and ico.gov projects. Work was ongoing to remove these references from ICO paperwork and material and he asked the group to inform him if they spotted reference to either on any publications.

## **11. Key messages**

- Leadership Group were updated on the recent liaison meeting with the Ministry of Justice and on the Management Board meeting, looking ahead to the Leadership Group planning day on 9 September and bearing in mind the:
  - General Election in May 2015;
  - change in Commissioner in June 2016; and
  - the possible EU Data Protection Regulation in 2017
- The group also considered proposals for a new Performance and Development Process which would be less bureaucratic and concentrate on future development needs. There were also proposals to simplify the probation process. Trade Unions will be consulted
- Plans for the staff engagement survey in October were considered and an advisory board was established to oversee the process.