

## Management Board minutes

13 December 2021

### Members

Paul Arnold	Deputy CEO and Chief Operating Officer
Ailsa Beaton	Non-executive Director
Stephen Bonner	Deputy Commissioner (Regulatory Futures and Innovation)
David Cooke	Non-executive Director
James Dipple-Johnstone	Chief Regulatory Officer
Peter Hustinx	Non-executive Director
Jane McCall	Non-executive Director
Nicola Wood	Senior Independent Director (Chair)
Steve Wood	Deputy Commissioner (Regulatory Strategy)

### Attendees

Claudia Berg	General Counsel
Christopher Braithwaite	Senior Corporate Governance Manager (secretariat)
Louise Byers	Director of Corporate Risk & Governance
Jen Green	Executive Director (Change and Transformation)
John Kavanagh	Director of Governance Transition
Caroline Robinson	Corporate Governance Officer (secretariat)

## 1. Introductions and apologies

- 1.1. There were no apologies for absence.
- 1.2. Nicola Wood welcomed John Kavanagh to his first Board meeting in his new role of Director of Governance Transition.

## 2. Declaration of interests

- 2.1. There were no declarations of interest.

## 3. Matters arising from the previous meeting

- 3.1. The minutes were confirmed as accurate.

**Action: Corporate Governance to ensure that Jayne Scott is invited to a NEDs meeting in 2022.**

## 4. Performance Reports

### Management Board Scorecards Q1 & Q2

- 4.1. Louise Byers presented the ICO's Management Board scorecard. The scorecard comprises measures in three areas; performance, outcomes, and sentiment.
- 4.2. The Board discussed the trends relating to increased enquiries and James Dipple-Johnstone confirmed that a number of areas of the business, including data protection complaints, advice requests and investigations, were dealing well with the volume of enquiries received. However, the freedom of information areas of the business, including information access, were currently under pressure due to the volumes. . Recovery plans were in place for these areas and good progress was being made.
- 4.3. The Board considered the possibility of extra resources within these areas and whether we can work more efficiently and effectively by educating organisations in how to best deal with FOI requests, when received, therefore reducing the number of complaints received.
- 4.4. The Board also discussed whether responses and lines to take were readily available to answer enquiries regarding our targets and the performance measures once this report has been published. It was confirmed that answers were available, and there are also a number of supporting documents, including the customer service charter, which will help to give context to the performance scores.
- 4.5. The Board thanked Louise Byers and the Planning and Performance team for all their hard work in this area.

### Progress towards achieving the IRSP

- 4.6. James Dipple-Johnstone confirmed that we continue to make good progress towards achieving the IRSP. There continued to be capacity challenges in some key areas of the organisation however it was confirmed that we have been able to move resources to ensure priority work is progressed.
- 4.7. He highlighted a number of successful long-standing areas of work that have now been completed including our tenure as chair and secretariat of both the Global Privacy Assembly and International Conference of Information Commissioners. We

successfully provided a smooth transition of the chairship during recent months for both bodies.

- 4.8. The Board acknowledged that the report highlights the large number of areas that we are currently working on and the importance of prioritising our work.
- 4.9. The Board discussed the interest in the Age Appropriate Design Code from parliamentarians and potential links to other regulatory areas.
- 4.10. James Dipple-Johnstone also provided the Board with updates on upcoming court cases.

#### Strategic Change and Transformation Programme including progress towards achieving the Capacity and Capability Plan

- 4.11. Jen Green presented the strategic change and transformation programme and highlighted the two objectives; how we support the evolution of the ICO to ensure we operate effectively in our future remit, and how we remain efficient and effective.
- 4.12. The Board discussed the benefits of the work, how it is connected to the planning for the future ICO corporate plan, which would replace the IRSP, and how best to record the impact of the work.
- 4.13. The Board was asked whether it wished to conduct a deep dive into any of the specific areas of change and transformation highlighted in the report. The Board agreed that it did not need to carry out a deep dive, however it should receive high level regular updates at meetings.

## 5. Discussion Items

### Future ICO Corporate Plan

- 5.1. Paul Arnold presented the proposed road map for the development of the replacement of the current Information Rights Strategic Plan and the future enduring objectives for the ICO.
- 5.2. The proposal is to ensure that the ICO Plan provides staff and stakeholders with a purpose that is consistently understood. The Board particularly discussed the best way to articulate the purpose.

- 5.3. The Board acknowledged that this is a complicated exercise with a tight timescale and agreed that John Edwards' vision for the future should help to inform the first draft.

#### Stakeholder perception and reputation management

- 5.4. The Board noted the overview of the stakeholder perceptions research and discussed it in conjunction with the previous agenda item.

## 6. Corporate Risk Register – Annual Report

- 6.1. Louise Byers presented the paper summarising the progress and changes in the corporate risk and opportunity register in the past 12 months.
- 6.2. Management Board had requested that they receive a report on the risk and opportunity register on an annual basis. The register was considered by the Audit and Risk Committee and the Risk and Governance Board at each of their meetings.
- 6.3. Work has recently been undertaken to review the mitigating actions of all the risks and opportunities to ensure that they have a material impact on the scoring of the risk. Interdependencies between all the corporate risks and opportunities had also been identified.
- 6.4. Louise Byers explained that the Management Board would be due to review the risk appetite in March.
- 6.5. The Board agreed that the report provided good assurance that the risk and opportunity register is reviewed in detail by the Audit & Risk Committee. However, they did comment that the format of the risk register was challenging, particularly when it could not be printed.

**Action: Corporate Governance to consider alternative ways way to present the Risk & Opportunity Register to Management Board to ensure that it as accessible as possible.**

## 7. Management accounts

- 7.1. The October financial report was presented for information.
- 7.2. Paul Arnold provided an update and highlighted that the DP fee income remains ahead of forecast and that there will be close oversight of progress against plan in the upcoming

months to ensure we deliver the year end position in line with the budget.

## 8. Any other business

- 8.1. Steve Wood explained to the Board that he will be leaving the ICO in April. The Board thanked Steve for his work throughout his time at the ICO and agreed that he will be very much missed.