25 February 2025

IC-359252-X5S0

Request

In summary, you asked us:

1. *"To what extent does your department have a clearly defined and documented AI strategy? Please select one of the following options that applies.*

2. *To what extent does your AI strategy or goals align with the AI opportunities action plan? Please select one of the following options that applies.*

3. *What is the likelihood that your department's AI strategy will be fully implemented within the next two years? Please select one of the following options that applies.*

4. *How confident is your department that current AI governance structures are adequate for managing AI risks? Please select one of the following options that applies.*

5. *What percentage of your department's total budget is allocated to AI-related projects this fiscal year? How much is this?*

6. *How does your department or agency assess the economic impact or cost-effectiveness of AI technologies? Please select one of the following options that applies and provide any relevant data or reports on AI's economic benefits.*

7. *What is your department's current stage of AI deployment? Please select one of the following options that applies.*

8. *For your most significant AI use case, how confident are you that the expected benefits will be realised? Please select one of the following options that applies.*

9. *How thoroughly has your department assessed the risks associated with AI deployment? Please select one of the following options that applies.*

10.   How confident are you that your department is compliant with relevant data protection laws when using AI? Please select one of the following options that applies.

11.   How well does your department ensure transparency in the use of AI in public services? Please select one of the following options that applies.

12.   How does your department or public body ensure that its data storage complies with UK sovereignty and data residency requirements? Please outline any policies or regulations guiding data storage within UK borders.

13.   Can you provide the proportion of data stored within UK-based infrastructure versus foreign cloud services (e.g., US-based providers) within your department/agency?

14.   What measures are in place to ensure that your data storage solutions meet national security standards? Please provide details of relevant frameworks or protocols currently implemented.

15.   What is the estimated carbon footprint of your department or agency's AI operations (e.g., training, deployment) over the past year? Please include energy consumption figures if available.

16.   How do you track the energy usage of AI workloads, and are there any reporting mechanisms in place for sustainability goals? Please provide relevant metrics or guidelines.

17.   How would you rate the quality of data used for your AI systems? Please select one of the following options that applies.

18.   What is the level of confidence in your department's digital infrastructure's ability to support current and future AI initiatives? Please select one of the following options that applies.

19.   Does your department or agency currently use a hybrid infrastructure (i.e., a mix of on-premises and cloud services) for its digital operations, including AI applications? Please specify the proportion of services hosted on each type of infrastructure.

20.   What factors influence your department's decision-making process when choosing between public cloud, private cloud, or on-premises infrastructure for AI-related projects or services?

21.   What plans or initiatives are in place to ensure your department's digital infrastructure is scalable enough to meet future demands for AI-powered services or technologies over the next 5–10 years?

22.   How does your department or agency ensure the quality of data used in AI-driven projects or services? Please provide any metrics, guidelines, or standards employed for data validation.

23.   How effectively is your department upskilling employees to use AI? Please select one of the following options that applies.

24.   Will you be relying on in-house skills for AI strategy development and implementation or seeking third-party services/consultancy?

25.   How confident are you that your department will reach its AI ambitions? Please select one of the following options that applies."

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

Our response

We have searched our records based on the information you provided and can confirm that we hold some information within the svope of your request.

As you are likely aware, the requests under the FOIA are requests for information held at the time of the request. This means that a public authority is not required to create new information in order to answer a request, and are not required to answer a question if they do not already hold the relevant information in recorded form. More information about valid requests under FOIA can be found [on our website](#).

Some of the questions you have asked are not questions for recorded information, however we have provided advice and assistance where possible and appropriate.

The ICO regulates some aspects of AI implementation, while also using some internally. Some of these questions have been interpreted to be regarding regulatory work regarding AI and some about our internal use of AI.

We regularly publish information about our ongoing work in AI regulation [on our website](#).

For clarity, we will answer each part of your request in turn.

Throughout your request, we have interpreted 'your department' to mean 'the ICO'.

1. To what extent does your department have a clearly defined and documented AI strategy?

We can confirm that we hold some information within the scope of this part of your request.

In terms of the ICO's regulatory work, we published Regulating AI: The ICO's Strategic Approach in April 2024.

Because this material is already reasonably accessible to you, it is technically withheld under section 21 of the FOIA. This exempts information which is reasonably accessible to the applicant through means other than a request under the FOIA.

It is an absolute exemption, which means it is not necessary for us to consider any public interest test.

With regards to the ICO's internal use of AI, we do not currently hold an AI strategy. However, an AI Policy is currently in development.

2. To what extent does your AI strategy or goals align with the AI opportunities action plan?

We do not currently hold any information in scope of this part of your request.

As stated above, the ICO does not currently hold an AI strategy for the internal use of AI.

The AI strategies and guidance being produced as a part of our regulatory work are done in consultation with developers, users, and stakeholders. Information about our recent Consultation on Generative AI is published on our website alongside our other regulatory work regarding AI.

3. What is the likelihood that your department's AI strategy will be fully implemented within the next two years?

This is not a request for information held by the ICO. If you require more information about this we suggest that you submit a new request, setting out in

more specific terms what kind of information you are looking for. Under FOIA we can consider requests for copies of recorded information that we hold, but are not obligated to create answers to broadly phrased questions such as this.

4. How confident is your department that current AI governance structures are adequate for managing AI risks?

As above, this is not a request for information held by the ICO under FOIA.

However, in terms of the ICO's regulatory work, it may be helpful to share our [AI and data protection risk toolkit](#), which is designed to provide practical support to organisations in reducing risks to the rights and freedoms of individuals.

5. What percentage of your department's total budget is allocated to AI-related projects this fiscal year? How much is this?

We do not hold information in scope of this part of your request.

As described above, the ICO is involved in work regarding AI across many departments, including regulatory policy and internal governance departments. Teams working on projects relating to AI are often doing so alongside other projects, and so it is not possible to determine the budget specifically for AI-related projects.

6. How does your department or agency assess the economic impact or cost-effectiveness of AI technologies? Please select one of the following options that applies and provide any relevant data or reports on AI's economic benefits.

We have interpreted this request to be in the context of the ICO's regulatory work regarding AI.

We can confirm that we hold information within the scope of this part of your request.

The ICO assesses economic impact, as well as other types of impacts, through our [Impact Assessment Framework](#).

Information about the impact of AI can be found in our report on the [ICO's consultation series on generative AI](#).

Because this material is already reasonably accessible to you, it is technically withheld under section 21 of the FOIA, which was explained in our response to question 1.

7. What is your department's current stage of AI deployment?

The ICO currently has an online chatbot powered by AI, and is also using AI and automation to assist in our work collecting data protection fees through the use of our Registration Inbox. The ICO will also soon be starting a trial of Microsoft Copilot for a small number of users.

8. For your most significant AI use case, how confident are you that the expected benefits will be realised?

The ICO has not ranked its current use cases of AI, and so does not hold a 'most significant AI use case.' If you would like further detail about any of the use cases described above, you can submit new request setting out terms of information you are interested in.

For the purposes of FOIA, our response is that no information is held in the scope of this part of your request.

9. How thoroughly has your department assessed the risks associated with AI deployment?

In terms of the ICO's regulatory work, we are regularly assessing and updating guidance relating to AI. Our work on this has been linked elsewhere in this response.

In terms of the ICO's internal use of AI, the ICO is following our normal procedures to assess risk and impact of new products. With regards to AI, this includes a Data Protection Impact Assessment (DPIA) and Equality Impact Assessment (EqIA). Please find these attached for our upcoming trial of Copilot.

Some information has been redacted in accordance with section 31 of the FOIA, which will be explained in more detail below.

Please be aware that the DPIA for Copilot is still in draft form and so may be subject to future changes.

The redacted information refers to details about our internal systems and security, as well as to internal email addresses. This has been redacted under section 31(1)(g) of the FOIA. We can do this when the disclosure of information

"would, or would be likely to, prejudice…the exercise by any public authority of its functions for any of the purposes specified in subsection (2)."

In this case the relevant purposes contained in subsection 31(2) are 31(2)(a) and 31(2)(c): " a. the purpose of ascertaining whether any person has failed to comply with the law," and "c. the purpose of ascertaining whether circumstances which would justify regulatory action in pursuance of any enactment exist or may arise."

Disclosure of detailed information about our internal systems and security would likely prejudice our ability to perform our regulatory functions, and would leave us vulnerable to cyber-attacks.

Additionally, we are satisfied that any misuse of internal non-public facing email address that exists to support ICO staff would likely prejudice our ability to perform our regulatory functions. Public disclosure would leave the email addresses vulnerable to phishing or other cyber-attacks, spam, or an increased volume of irrelevant correspondence which would divert resources to redirect correspondence to the relevant channels at the expense of assisting staff in matters of information security.

It may also help to explain that there are other channels that are more appropriate for the public to contact us through. These contact details are also publicly available via our website.

The exemption at section 31(1)(g) is not absolute. When considering whether to apply it in response to a request for information, there is a 'public interest test'. We have to consider whether the public interest favours withholding or disclosing the information.

In this case the public interest factor in favour of disclosing the information is:

- Increased transparency about our internal systems and security
- General emphasis on transparency and increased transparency in the way in which the ICO conducts its investigations and its operations

The public interest factors in maintaining the exemption are as follows:

- There is a strong public interest in the ICO maintaining the security and integrity of the information it holds.
- The risk that, if disclosed, such information could be used by malicious actors seeking criminal access to our information and systems.

- The risk this would pose to the effectiveness and efficiency of our regulatory functions.
- Internal email addresses being utilised for purposes contrary to their intended purpose will reduce the effectiveness and efficiency of our regulatory functions.
- The disclosure of internal email addresses isn't a critical part of the procedures and the information of primary relevance to the request is not affected by its redaction.
- The public interest relating to transparency is met by the provision of several other and more appropriate means of contacting the ICO.

Having considered all of these factors we have taken the decision that the public interest in withholding the information outweighs the public interest in disclosing it.

This concludes our response to this part of your request.

10. How confident are you that your department is compliant with relevant data protection laws when using AI?

The ICO is following its usual DPIA procedures when engaging with new products and suppliers. Please find the DPIA for Copilot attached. Some information has been redacted, as detailed above.

11. How well does your department ensure transparency in the use of AI in public services?

Information about the ICO's use of AI is updated in our Privacy Policy under our normal procedures for updating the Privacy Policy.

Bespoke privacy notices and just in time notices are provided as appropriate for new information uses and services.

12. How does your department or public body ensure that its data storage complies with UK sovereignty and data residency requirements? Please outline any policies or regulations guiding data storage within UK borders.

The ICO does not hold a single policy regarding data storage location. When engaging with a new supplier or product relating to data storage, the ICO's usual procedures for risk assessments and DPIAs are followed.

13.   Can you provide the proportion of data stored within UK-based infrastructure versus foreign cloud services (e.g., US-based providers) within your department/agency?

The ICO does not currently track the proportion of data stored within UK-based infrastructure versus foreign cloud services and so for the purposes of FOIA, our response is that no information is held within the scope of this part of your request.

14.   What measures are in place to ensure that your data storage solutions meet national security standards? Please provide details of relevant frameworks or protocols currently implemented.

The ICO is required to implement appropriate and proportionate technological and organisational security measures to protect our technology and digital services from cyber threats, and in compliance with UK government security standards.

For more information about relevant frameworks, see Standards - UK Government Security.

We also choose to maintain certification to Cyber Essentials Plus, which provides an independent validation of our technological security measures with the National Cyber Security Centre's 'Requirements for IT Infrastructure'. For more information, see Cyber Essentials - NCSC.GOV.UK.

15.   What is the estimated carbon footprint of your department or agency's AI operations (e.g., training, deployment) over the past year? Please include energy consumption figures if available.

The ICO is not currently tracking carbon footprint relating specifically to AI work, and so for the purposes of FOIA our response is that no information is held within the scope of this part of your request.

16.   How do you track the energy usage of AI workloads, and are there any reporting mechanisms in place for sustainability goals? Please provide relevant metrics or guidelines.

The ICO does not currently track energy use specifically relating to AI workloads. However, general sustainability goals are tracked in line with our Environment Policy.

For the purposes of FOIA, our response is that no information is held within the scope of this part of your request.

17. How would you rate the quality of data used for your AI systems?

We have interpreted this question as referring to the ICO's own internal use-cases of AI.

None of the ICO's current use cases are Generative AI systems and so do not use data as this question describes. When the Copilot trial begins, it will be based on internally-held documents and information.

We have therefore not rated the quality of data as you describe, and therefore do not hold information within the scope of this part of your request.

18. What is the level of confidence in your department's digital infrastructure's ability to support current and future AI initiatives?

The ICO has a technology and digital roadmap that supports our current and planned initiatives, including AI. However, we do not hold any information rating our 'confidence' in our digital infrastructure.

19. Does your department or agency currently use a hybrid infrastructure (i.e., a mix of on-premises and cloud services) for its digital operations, including AI applications? Please specify the proportion of services hosted on each type of infrastructure.

The ICO's current infrastructure is predominantly cloud based, with some on-premises services. We do not currently hold figures regarding the proportion of services hosted on each type of infrastructure.

20. What factors influence your department's decision-making process when choosing between public cloud, private cloud, or on-premises infrastructure for AI-related projects or services?

There is a documented process for review and approval of technology decisions. Each decision is taken individually depending on the type of service, and there is not an overriding set of factors for the provision of a project or service. This means that we do not hold information in the scope of this part of your request.

21. What plans or initiatives are in place to ensure your department's digital infrastructure is scalable enough to meet

future demands for AI-powered services or technologies over the next 5–10 years?

As mentioned above, the ICO is currently developing an AI Policy. This means that there are no current plans or initiatives in place in scope of this part of your request.

22.   How does your department or agency ensure the quality of data used in AI-driven projects or services? Please provide any metrics, guidelines, or standards employed for data validation.

The ICO is still in the process of discovery and testing the possibility for Generative AI solutions at the ICO and so does not yet have a policy for the standards of data used.

This means that for the purposes of FOIA, no information is held within the scope of this part of your request.

23.   How effectively is your department upskilling employees to use AI?

In line with [Our implementation plan for 2024/25](link), the ICO has recently launched the ICO Data Academy to support upskilling knowledge of our workforce. As this has only recently launched, not enough time has passed to assess its efficacy.

Additionally, the ICO Data Academy will support the upskilling of data-related skills generally, not specifically AI skills.

This means that for the purposes of FOIA, no information is held within the scope of this part of your request.

24.   Will you be relying on in-house skills for AI strategy development and implementation or seeking third-party services/consultancy?

This is not a request for information held by the ICO. Under FOIA we can consider requests for information we currently hold, but cannot consider information we may hold in the future. If you are interested in this ares, we suggest that you submit a new request, setting out what of our current information you require.

25.   How confident are you that your department will reach its AI ambitions?

This is not a request for information held by the ICO. If you require more information about this we suggest that you submit a new request, setting out in more specific terms what kind of information you are looking for. Under FOIA we can consider requests for copies of recorded information that we hold, but are not obligated to create answers to broadly phrased questions such as this.

This concludes our response to your request.

Next steps

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full review procedure here.

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can raise a complaint through our website.

Your information

Our Privacy notice explains what we do with the personal data you provide to us, and set out your rights. Our retention schedule can be found here.

Yours sincerely

Information Access Team
Risk and Governance Department, Corporate Strategy and Planning Service
Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
ico.org.uk   twitter.com/iconews
Please consider the environment before printing this email
For information about what we do with personal data see our privacy notice