

Risk and Opportunity Register - Master Sheet

No.	Date raised	Risk Number	Opportunity/risk description (opportunities shaded in blue)	Risk Appetite area	Risk appetite	IRSP Goals	Current Probability	Current Impact	Current Overall priority	Direction	Strategic	Target Probability	Target Impact	Target Overall Priority
1	01/04/17	R4	Capacity and Capability: (Cause) Risk that increasing demand, public and stakeholder expectations, and/or additional unplanned work and/or reduced availability of staff results in (Threat) key resources being overstretched and having insufficient capacity to deliver all business plan requirements, (Impact) resulting in business operational issues and pinch points, possible failure to deliver regulatory priority activities and impacting upon the ICO's ability to deliver all of its intended objectives and outcomes.	Infrastructure and resources	Open	4	5	4	20	Same ↔	Corporate	2	2	4
2	30/04/19	R73	Compliance culture: (Cause) Risk that as demand and capacity increase and/or changes, the ICO's infrastructure and accountability culture is unable to (Threat) keep up with the pace of change to comply with legal and other obligations expected of a modern regulator (Impact) impacting upon its ability to maintain and increase public trust and be an effective and knowledgeable regulator.	Organisational controls and compliance	Cautious	4	4	4	16	Same ↔	Corporate	2	3	6

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3	28/06/17	R3	Expectations Gap: (Cause) Opportunity to ensure that there is a mutual stakeholder and ICO understanding and recognition of the ICO's responsibilities and ability to deliver, (Opportunity) preventing an expectations gap between expected and actual ICO regulatory action; such that we (Impact) improve public trust, confidence and perception of the ICO's effectiveness in its aim to enforce the laws we help shape and oversee.	Regulatory enforcement	Cautious	5, 6	4	4	16	Same ↔	Corporate	3	2	6
4	30/07/18	R46	Financial Resilience: (Cause) Risk that sensitivities in the income growth forecast and new territories of expenditure create inaccurate financial forecasting and planning assumptions (Threat) leading to insufficient funding and financial stress (Impact) impeding the ICO's ability to meet its statutory requirements, and full delivery of all of its intended IRSP goals and outcomes.	Infrastructure and resources	Open	4	4	4	16	Down ↓	Corporate	2	3	6

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5	06/04/20	R84	Major Incident: (Cause) Risk that an internal or external major incident occurs (e.g. extreme weather, fire incident, chemical incident, pandemic (e.g. Covid-19), or deliberate incidents such as terrorist acts) which renders the ICO unable to utilise part or all of its resources and infrastructure (such as staff, buildings, IT systems etc) such that (Threat) the ICO is unable to deliver some, or in extreme cases all of its regulation services, (Impact) increasing public information rights risk for a period of time and resulting in a reduced achievement of the IRSP Goals over the longer period.	Infrastructure and resources	Open	All goals	5	3	15	New	Corporate	4	2	8
6	06/04/20	R85	Managing ICO Reputation: (C) Risk that decisions are taken without giving due consideration to the strategic reputational impact on the ICO (T) such that action is not taken at the right time to proactively and effectively manage the reputation of the ICO (I) impacting upon the ICO's ability to increase public trust and confidence, provide excellent public service and to demonstrate that it is an effective and knowledgeable regulator.	Reputational	Cautious	All goals	3	4	12	New	Corporate	2	2	4

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7	30/06/17	R2	Service Excellence: (Cause) To better understand customer and stakeholder needs and create aspiring leadership and staff engagement to (Opportunity) build a service excellence culture resulting in an improved, reliable and responsive customer service, (Impact) enabling the ICO to better deliver all of its IRSP goals, improve public perception and provide excellent public service as a regulator.	Organisational change and development	Open	1, 4	3	4	12	Same ↔	Corporate	2	2	4
8	27/09/18	R10	Statutory Codes: (Cause) Risk that significantly complex and contentious subject matter (e.g. economic impact), alongside competing stakeholder audience expectations slows the drafting and implementation of Statutory Codes of Practice such that (Threat) the ICO is unable to deliver the Codes within required timescales and to the desired quality through the eyes of external stakeholders (Impact) impacting negatively on the ICO's reputation and relevance as a regulator to deliver across all stakeholders, decreasing its public trust, influence and effectiveness.	Regulatory guidance and strategy	Open	2, 5	3	4	12	Same ↔	Corporate	2	2	4

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9	27/11/18	R61	Litigation Resource: (Cause) Risk that multiple or a single significant legal challenge or trend emerges (Threat) diverting significant financial and non-financial resources into possibly lengthy legal disputes (Impact) impacting upon the ICO's ability to legally defend itself which could have a domino effect on its decision making, its financial resilience, its reputation as an effective regulator and diluting its operational ability to achieve all of its IRSP goals.	Infrastructure and resources	Open	4	3	4	12	Same ↔	Corporate	2	3	6
10	07/07/20	R88	Future role of the ICO: (Cause) Government led reviews of the role of the future data protection regulatory framework, and of the ICO's role, governance and remit (Threat) leads to organisational and stakeholder uncertainty (Impact) impeding the ability of the ICO to regulate with maximum efficiency and effectiveness, plan for the future and have clarity of its strategic objectives.	Organisational change and development	Open	All goals	3	4	12	New	Corporate	2	3	6
11	08/03/19	R72	SMOs: (Cause) Risk that the ICO does not sufficiently recognise and act on the needs of small organisations such that the ICO (Threat) does not provide SMOs with value for money relevant services resulting in (impact) low levels or awareness, poor trust and information rights practices from SMOs impacting upon the ICO's delivery of the IRSP goals around increasing public trust and confidence, improving standards of practice and being an effective regulator.	Regulatory guidance and strategy	Open	1, 2	3	4	12	Same ↔	Corporate	2	3	6
12	15/06/20	R87	International position: (Cause) The uncertain global context in which ICO operates (in particular the UK's future global relationships with and outside the EU and implications of the Covid19 pandemic) lead to (threat) the ICO failing to develop and maintain effective international relationships or effectively deliver aspects of its domestic regulatory role, thereby reducing opportunities to develop global collaborative DP approaches on policy, tech and interoperability and (Impact) putting at risk our ability to protect UK's public's interests.	Reputational	Cautious	3	3	4	12	Down ↓	Corporate	2	3	6

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13	14/09/20	R89	Compensation: (Cause) The ICO is unable to award compensation to complainants unlike other ombudsman services. As a consequence, (Threat) consumers go to an ombudsman scheme where compensation can be awarded, (impact) so the ICO is not seen as a relevant regulator and fails to capture data about these breaches.	Reputational	Cautious	1, 2	4	3	12	New	Corporate	2	2	4
14	06/04/20	R83	Staff Wellbeing and Welfare: (Cause) Opportunity for the ICO to support the wellbeing and welfare of its staff (Opportunity) so that staff are able to continue to work productivity, contribute to the delivery of the outcomes of the office and increase positive engagement (Impact) leading to the successful delivery of prioritised workstreams and a positive culture of engagement and recognition of the ICO as an employer of choice.	Organisational change and development	Open	1, 6	3	4	12	New	Corporate	4	4	16
15	13/04/18	R11	ICO fails to deal with issues arising from Operation Cederberg in a timely and effective way; in particular in relation to the public challenge to ICO regulatory decisions.	Regulatory investigation and intervention	Cautious	5	3	4	12	Same ↔	Strategic	2	2	4
16	02/09/19	R81	Management Board Resilience: Management Board and Executive Team capacity and resilience may not be sufficient to retain clarity of leadership and direction during a critical period of change to the regulatory landscape resulting in delay to the achievement of the IRSP goals and operational, regulatory and organisational priorities	Staff recruitment, retention and development	Averse	4	3	3	9	Same ↔	Corporate	2	2	4
17	01/04/18	R22	Risk that there is inadequate oversight or planning of the ICO's business projects programme which may result in projects not delivered to time, to scope, or within budget threatening the achievement of a number of elements pertinent to the IRSP goals.	Organisational change and development	Open		3	3	9	Same ↔	Not strategic	2	2	4
18	20/09/19	R25	Failure to provide adequate support to ICO senior leaders results in failure to meet strategic goals and priorities	Staff recruitment, retention and development	Averse		3	3	9	Same ↔	Not strategic	1	2	2
19	01/10/18	R32	ICO fails to comply with information rights law, in particular in relation to its own compliance with FOI, GDPR and DPA18	Legal (compliance)	Averse		3	3	9	Same ↔	Not strategic	2	2	4

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20	15/09/18	R40	Opportunity to award grants to support independent, innovative research and solutions focused on privacy and data protection issues. Risk of those receiving funds failing to deliver agreed project.	Innovation	Open		3	3	9	Same ↔	Not strategic	1	1	1
21	02/10/18	R60	Inadequate physical security measures result in a security breach at an ICO office or a personnel security issue	Security	Averse		3	3	9	Same ↔	Not strategic	2	2	4
22	01/04/18	R19	Our DP Fees Service is not equipped to maximise ICO fee collection	Infrastructure and resources	Open		3	3	9	Same ↔	Not strategic	2	4	8
23	15/09/18	R20	We fail to successfully make the case for the funding and resources required to deliver the scope of our duties under FOIA/eIDAS and NIS and the Grant in Aid awarded is no sufficient to support the achievements of our stated priorities	Infrastructure and resources	Open		3	3	9	Same ↔	Not strategic	1	1	1
24	05/06/17	R28	Poor records management practice mean that it is difficult for staff to find (or be provided with) the relevant corporate information that allows them to do their job.	Organisational controls and compliance	Cautious		3	3	9	Same ↔	Not strategic	2	2	4
25	27/09/18	R31	Failure to provide advice and guidance to staff on regulatory issues in a timely manner results in inconsistency of external advice	Regulatory guidance and strategy	Open		3	3	9	Same ↔	Not strategic	2	2	4
26	30/06/17	R50	Legislation or its legal interpretation presents unanticipated challenges to the ICO operational model.	Legal (legislation and regulatory advice)	Open		3	3	9	Up ↑	Not strategic	1	2	2
27	20/09/19	R55	The website functionality and user experience does not allow the ICO to communicate effectively	Reputational	Cautious		3	3	9	Same ↔	Not strategic	1	2	2
28	11/04/19	R75	Our understanding and regulation of the use of web and cross-device tracking for marketing purposes (a regulatory priority) does not keep pace with the use of those processes and technologies in the market meaning we cannot act as an effective regulator in this space and the public's data and privacy rights are not protected as a result	Regulatory assessment	Cautious		3	3	9	New	Not strategic	2	2	4
29	01/04/17	R56	The risk that day to day IT is not reliable or fit for purpose.	Infrastructure and resources	Open		3	3	9	Same ↔	Not strategic	2	4	8
30	13/07/18	R12	We fail be the best employer we can be attracting and retaining the very best talent	Staff recruitment, retention, development, wellbeing and safety	Cautious		3	3	9	Same ↔	Strategic	2	2	4

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31	08/01/19	R65	We fail to manage high profile investigations in the most efficient and effective way possible, minimising the resultant impact of the investigation	Regulatory investigation and intervention	Cautious		3	3	9	Same ↔	Strategic	2	2	4
32	01/04/18	R18	Risks and opportunities are not managed adequately across the organisation leading to inefficient or ineffective use of resources during times of competing priorities such that it takes longer to achieve planned objectives that contribute to meetings all 6 of the IRSP goals.	Organisational controls and compliance	Cautious		3	3	9	Same ↔	Strategic	2	2	4
33	20/09/18	R23	We fail to inspire continuous improvement through common values and a high performance culture	Staff recruitment, retention, development, wellbeing and safety	Cautious		3	3	9	Same ↔	Strategic	2	2	4
34	20/09/18	R24	Communication with individuals fails to inspire trust and confidence in how personal data is handled	Reputational	Cautious		3	3	9	Same ↔	Strategic	2	2	4
35	01/10/18	R33	We fail to promote awareness of the ICO as the information rights regulator, meaning stakeholders and the public do not access ICO services	Reputational	Cautious		3	3	9	Same ↔	Strategic	2	2	4
36	02/10/18	R59	We fail to attract, develop and sustain a workforce with sufficient capability	Staff recruitment, retention, development, wellbeing and safety	Cautious		3	3	9	Same ↔	Strategic	2	2	4
37	08/03/19	R79	That our communications activities are not aligned with our strategic priorities, leading to the failure to engage relevant audiences to positively influence our work as a regulator	Reputational	Cautious		3	3	9	Same ↔	Strategic	2	3	6
38	13/07/18	R36	We fail to develop and maintain an expert and resilient workforce	Staff recruitment, retention, development, wellbeing and safety	Cautious		3	3	9	Same ↔	Strategic	1	3	3
39	20/12/18	R63	We fail to improve organisational compliance across DP and FOI and are not seen as an effective regulator	Regulatory guidance and strategy	Open	#1. #5	3	3	9	Same ↔	Strategic	1	2	2

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40	20/12/18	R64	Our thematic reports do not reach the right audience and fail to have meaningful impact	Regulatory guidance and strategy	Open	#1. #2	3	3	9	New	Strategic	1	3	3
41	11/04/19	R74	Our regulation of surveillance technology, including AFR, (a regulatory priority) falls behind developments in and use of that technology across public and private sectors - with associated harm to the public.	Regulatory investigation and intervention	Cautious		3	3	9	Up ↑	Strategic	2	2	4
42	01/04/18	R44	That the ICO fails to take advantage of opportunities to communicate our key messages to the public, to stakeholders and to new audiences.	Reputational	Cautious		3	3	9	Same ↔	Strategic	2	2	4
43	24/09/18	R38	ICO staff fail to own and develop their individual capability and to maximise their personal contribution to our strategic goals and priorities.	Staff recruitment, retention, development, wellbeing and safety	Cautious		2	4	8	Same ↔	Not strategic	1	3	3
44	01/04/18	R39	We don't adequately identify information governance and security risks when implementing new projects, systems and processes	Security	Averse		2	4	8	Same ↔	Not strategic	2	3	6
45	01/04/18	R47	Continuous change, update and system refreshes may introduce vulnerabilities to our IT systems. Introduction of new Ways of Working (WoW) increases the attack surface of the organisation due to additional device functionality and new working practices of our staff.	Security	Averse		2	4	8	Same ↔	Not strategic	2	2	4
46	08/01/19	R68	We fail to adequately resource or make optimum use of intelligence to inform our operational and corporate decisions.	Regulatory assessment	Cautious		4	2	8	Down ↓	Strategic	2	2	4
47	22/09/18	R26	Improving Productivity: (Cause) Risk that growth in the ICO's investment in infrastructure, people and process resources (Threat) is not effectively utilised to reduce contradictory and duplication of efforts, minimise delivery gaps, exploit new business models and maximise best use of ICO resources such that (Impact) whilst the ICO grows it does not improve efficiency and productivity and is no better placed to achieve the ICO's IRSP goals and corporate outcomes.	Organisational change and development	Open	4	3	2	6	Down ↓	Corporate	2	2	4

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48	19/02/19	R71	Online harms: (Cause) Research and work with key partners and other regulators presents an opportunity (Opportunity) for co-production and influencing the future regulation of online harms which (Impact) assists the ICO with the achievement of all of the IRSP goals and outcomes in particular enforcing the laws we help to shape and oversee and improving information rights practice.	Reputational	Cautious	2, 4, 5	2	3	6	Same ↔	Corporate	2	2	4
49	01/04/18	R21	Cyber Security: (Cause) Risk that although the ICO is continuously vigilant with its cyber security controls that as the ICO's profile increases and it innovates with new technology systems, (Threat) it becomes increasingly at risk of a security breach, either malicious or inadvertent from within the organisation or from external attacks by cyber-criminals. (Impact) This could result in many negative impacts, such as distress to individuals, legal, financial and serious reputational damage to the ICO, possible penetration and crippling of the ICO's IT systems preventing it from delivering its regulatory functions and IRSP goals	Security	Averse	6	2	3	6	Same ↔	Corporate	2	4	8
50	06/04/20	R86	Political and Economic Environment: (Cause) Risk that the ICO doesn't have the plans or the ability to respond to changes in the economic climate, government policy or to government attitudes and reviews, meaning that the ICO doesn't (Threat) adapt and flex quickly enough or in the right way to meet changing stakeholder views and needs (Impact) preventing the achievement of the IRSP goal to be an effective and efficient regulator.	Regulatory guidance and strategy	Open	4, 5 and 6	2	3	6	New	Corporate	1	1	1
51	31/08/17	R42	Poor industrial relations may impair engagement between ICO management and its workforce, leading to sub-optimum productivity and reduced ability to deliver change.	Organisational change and development	Open		3	2	6	Same ↔	Not strategic	2	2	4
52	28/06/17	R41	Policy guidance is not responsive to external developments and stakeholder needs.	Regulatory guidance and strategy	Open		2	3	6	Up ↑	Not strategic	2	2	4

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53	01/10/18	R35	Fail to communicate a clear corporate vision and narrative to staff to enable them to understand the goals and priorities of the office	Organisational change and development	Open		2	3	6	Same ↔	Not strategic	2	2	4
54	01/04/17	R43	Cyber defences are not sufficiently robust because the IT environment is not maintained to the required standard, security and integrity - especially during a period when the ICO is moving its IT managed service contract away from Northgate to other suppliers and to increased in-house support.	Security	Averse		2	3	6	Down ↓	Not strategic	2	2	4
55	01/04/17	R45	Failure to comply with procurement, financial or contractual obligations	Legal (compliance)	Averse		2	3	6	Same ↔	Not strategic	1	3	3
56	01/04/17	R48	Strategic IT projects are not delivered to time, cost or quality * Ways of working *ICE *EDRM *Website	Organisational change and development	Open		3	2	6	Same ↔	Not strategic	2	2	4
57	28/11/19	R82	If the ICO, in its role as a regulator, fails to deploy its powers in targeted, proportionate and effective way, there is a risk that our regulatory interventions will not achieve the change in behaviour needed to build public trust and confidence	Regulatory enforcement	Cautious		2	3	6	New	Strategic			
58	23/05/19	R78	Our understanding and regulation of the data broking market does not keep pace with developments in the market (a regulatory priority) meaning we cannot act as an effective regulator in this space and the public's data and privacy rights are not protected as a result	Regulatory assessment	Cautious		2	3	6	New	Strategic	2	2	4
59	22/07/19	R80	Our understanding of the way political parties and campaigns are using personal data in modern campaigning techniques (a regulatory priority) fails to keep pace with technological developments in this area meaning we can't act as an effective regulator in this space, which has an impact on citizens privacy rights and our democratic system	Regulatory guidance and strategy	Open		3	2	6	New	Strategic	2	2	4

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60	01/04/18	R51	Loss of resources as a result of fraud or misappropriation of funds	Anti-fraud and financial controls	Averse		1	5	5	Same ↔	Not strategic	1	5	5
61	05/05/17	R52	That we do not have sufficient space to accommodate our expanding workforce.	Infrastructure and resources	Open		2	2	4	Same ↔	Not strategic	2	1	2
62	01/04/18	R53	Incorrect or misstated financial information leads to poor decision support	Anti-fraud and financial controls	Averse		1	4	4	Same ↔	Not strategic	1	4	4
63	22/09/18	R54	Opportunity for staff to positively engage with stakeholders through responsible use of social media	Reputational	Cautious		2	2	4	Same ↔	Not strategic	1	2	2
64	01/04/18	R57	We fail to recognise and keep up to date with changes in expectations re the way our stakeholders engage with us. In particular the use of social and other media channels, leading to a reduced audience for our key messages.	Reputational	Cautious		2	2	4	Same ↔	Not strategic	1	1	1
65	12/06/19	R79	We fail to be an effective and knowledgeable regulator for AI, big data and automated decision-making involving personal data (a regulatory priority), both in terms of how we regulate AI and how we use AI	Regulatory assessment	Cautious		2	2	4	New	Strategic	1	1	1
66	20/12/18	R62	We fail to deliver a new FOI strategy which is ambitious and meeting the needs of external stakeholders, complainants and the public	Regulatory guidance and strategy	Open		2	2	4	Same ↔	Strategic	1	2	2
67	22/05/19	R77	That the ICO does not deliver its regulatory obligations and ambitions in relation to children's privacy (a regulatory priority)	Regulatory guidance and strategy	Open		2	2	4	New	Strategic	2	1	2
68	14/01/19	R69	The Information Commissioner's regulatory powers are improperly delegated or exercised, causing the ICO to act ultra vires and being open to legal challenge.	Legal (compliance)	Averse		1	3	3	New	Strategic	1	3	3
69	11/04/19	R76	Our regulation of cyber-security (a regulatory priority) fails to be effective (i) as we build our capacity and capability and (ii) as advances in technology and new and emerging threats increase in complexity.	Regulatory assessment	Cautious		1	3	3	New	Strategic	1	1	1

