

# Management Board minutes

10 July 2023

Details of attendees are provided at the end of the minutes.

## 1. Introductions and apologies

- 1.1. Apologies for absence were received from Stephen Bonner and David Cooke. Claudia Berg had also reported that she would be joining the meeting late.

## 2. Declarations of interests

- 2.1. The Board was informed that Jeannette Lichner had taken on new roles as Chair of Square 4 and as a coach with Acuity Coaching, and that David Cooke had accepted a position as Visiting Professor of Public Policy at Lincoln University. Updated register of interests for both members had been published. The Board congratulated both members on their appointments.

## 3. Matters arising from the previous meeting

### Minutes

- 3.1. The minutes of the previous meeting had been approved as a correct record. The Board commented that future minutes should ensure that the word "assurance" was only used in contexts relevant to formal assurance on the lines of defence, rather than in the context of information being provided to the Board.

### Actions

- 3.2. John Edwards reported that, following the action at the last meeting, he had approved updated terms of reference for Management Board, reducing the quorum from nine to six to reflect the current membership. The updated terms of reference would be circulated alongside the minutes, for information.
- 3.3. The Board discussed whether it should be a requirement for either the Commissioner or the Senior Independent Director (SID) to be in attendance for Board meetings to be quorate.

**ACTION: John Edwards to review the Management Board terms of reference to consider whether the Commissioner or**

**SID should be in attendance for Board meetings to be quorate. Due date: 17/7/23**

**ACTION: Corporate Governance to circulate the updated Management Board terms of reference. Due date: 17/7/23**

#### 4. Discussion items

##### 4.1. Data Protection and Digital Information (DPDI) Bill update

4.1.1. Emily Keaney presented a report providing the Board with an update on progress with the DPDI Bill, including updates on plans for implementing the Bill after completion of the Parliamentary process.

4.1.2. The Board particularly discussed the work to transition to the DPDI Bill, including how the timelines for the transition period prior to changes coming into force would be decided, the importance of managing and prioritising resources (particularly in areas such as policy and legal) and potentially outsourcing some elements of the transitional work where appropriate. The Board also received confirmation that there would be new powers for which the ICO would issue updated statutory guidance before exercising, in line with regulatory good practice.

4.1.3. The Board also discussed the overall communications messages, explaining that the legislation was being simplified and that compliance with current legislation would ensure compliance with the new legislation. The Board commented that communications around the transition periods may be particularly challenging, but the overall message should help to minimise uncertainty.

4.1.4. The Board also discussed:

- the strong working relationship between the ICO and DSIT, including during the recent maternity leave of ministers;
- the level of resilience in the ICO team coordinating this workstream and the role of Portfolio Board in overseeing this work;
- the amount of new guidance that would be needed and the guidance areas being prioritised; and

- the potential for amendments during the parliamentary process, and work that was ongoing to identify emerging potential amendments.

#### 4.2. **Social Media Strategy**

- 4.2.1. Kate Banks joined the meeting to present a report updating the Board on the implementation of the Social Media Strategy.
- 4.2.2. The Board supported the use of LinkedIn to target corporate data professionals, which had good reach and visibility. The Board also agreed with the potential significant benefits of TikTok, Instagram and YouTube in reaching consumers and small businesses who may not be aware of the ICO, as well as highlighting message boards as a potential option to reach people who did not use social media. The Board commented that partnering with other organisations or content creators for work on these platforms could be beneficial.
- 4.2.3. The Board also discussed recent “newsjacking” social media work and the increased level of engagement from this. The Board also noted the plans to consider using social listening software and highlighted the importance of clear explanations about the data protection safeguards within such software.
- 4.2.4. The Board also requested further information about engagement outside of social media, as there were audiences who would not be engaged through this work. The Public Affairs team was currently completing work to develop further understanding the audiences, which was not within the scope of the social media strategy but would be brought to the Board in due course. The team was also reviewing existing public research to inform this work.

**ACTION: Ange Balakrishnan and Emily Keaney to provide the Board with further information about engaging with a wider range of audiences. Due date: 20/11/23**

#### 4.3. **Strategic accommodation planning**

- 4.3.1. Angela Donaldson joined the meeting to present a report setting out the key decisions and choices underpinning our future approach to accommodation.
- 4.3.2. The Board particularly discussed the importance of accurate assumptions about staff attendance at offices and the linkages between accommodation and workforce planning. The Board noted that People Committee had recently discussed workforce planning activities, and these would feed into accommodation decisions over the next year. The Board asked that further sensitivity analysis be conducted around different levels of attendance assumptions and the impact this may have on future accommodation strategy.
- 4.3.3. The Board discussed the approach to office attendance and agreed that, at this stage, it was not desirable to set mandatory levels of attendance, as this had not been effective in other organisations. However, the Board commented that it was important to continue to emphasise the benefits of in-person working for collaboration and staff wellbeing. People Committee was due to discuss staff wellbeing at its next meeting.
- 4.3.4. The Board also discussed the various levels of flexibility across the UK through engagement with the Government Property Agency, EDI (equality, diversity and inclusion) considerations for accommodation decisions, the importance on ongoing strong transport links to London from all offices, and the importance of clear ongoing communications to staff regarding progress with the accommodation strategy.

### **Decision**

- 4.3.5. The Board agreed the short term recommendations set out in the report.
- 4.3.6. The Board agreed that it should receive a further report on long-term accommodation plans, aligned to further workforce planning development.

**ACTION: Angela Donaldson to bring a further report to the Board on accommodation strategy options, which should include sensitivity analysis based on different levels of office attendance and links to workforce planning. Due date: July 2024.**

## 5. Performance reports

### 5.1. ICO 25 update

5.1.1. Jen Green presented reports providing an update on delivery of the ICO 25 change programmes, including providing an overview of delivery of year one of the action plan and deep dives into recent projects on SME data essentials and contact centre scheduling.

5.1.2. The Board requested further information regarding the methodology for quantifying the benefits realised from the change programme.

**ACTION: Jen Green to provide the Board with information regarding the benefits realisation methodology for the ICO 25 change programme. Due date: 20/11/23**

5.1.3. The Board noted accessibility concerns regarding part of the SME Data Essentials tools, and the accessibility and alignment to IT policies in relation to the Contact Centre Scheduling Project. The Board discussed these concerns, noting that these issues had been identified at a relatively late stage of each project, and commented that appropriate internal controls needed to be in place to ensure that such matters were identified at the outset of projects. The Board also highlighted the importance of sharing the lessons from these projects across the organisation.

5.1.4. The Board was informed that the full ICO 25 project portfolio was currently being reviewed to ensure that any other similar issues within the portfolio were identified, and information on the outcomes of this would be reported to the Board. The Board was also assured that additional controls had been put in place since these projects began, which should help to avoid similar issues arising.

**ACTION: Jen Green to provide the Board with information of the outcomes of the review of the project portfolio to identify any further potential issues relating to accessibility, IT suitability or security. Due date: 18/9/23**

5.1.5. The Board also discussed communicating the benefits of this work to the public and regulated community, both in terms

of specific projects such as the SME Data Essentials project, and in terms of the change programme as a whole.

## 6. Updates from Committees

### 6.1. Update from Audit and Risk Committee Chair

- 6.1.1. Ailsa Beaton provided an oral update on matters considered by the Audit and Risk Committee at its meetings on 19 June and 30 June.
- 6.1.2. The Board discussed the Committee's work on estates, climate and environment and cyber security. The Board agreed that the Committee should conduct more work on environment, social and governance (ESG), and facilitate discussion at Management Board level as appropriate.  
**ACTION: Louise Byers and Angela Donaldson to bring a report to Audit and Risk Committee and Management Board regarding ESG. Due date: 20/11/23**
- 6.1.3. The Board also discussed the Committee's work on overseeing the corporate risk and opportunity register, and agreed that it would be useful for the Board to regularly discuss the Committee's work in this area and ensure that the Committee delivered the Board's expectations.  
**ACTION: Louise Byers and Ailsa Beaton to bring an item to the Board for discussion of the work of the Audit and Risk Committee in overseeing the corporate risk and opportunity register. Due date: 20/11/23**
- 6.1.4. Ailsa Beaton also updated on progress with completion of the Annual Report and Financial Statements (the "annual report"). She explained that the Committee had been extremely disappointed by the external auditors, who had failed to meet agreed deadlines on multiple occasions. She provided an update on progress with completion of the annual report, which had been submitted to the National Audit Office for certification. The Committee would bring a summary of the lessons learned to the Board.
- 6.1.5. The Board thanked the people involved in the development of the annual report for their work.

## 6.2. **Update from People Committee Chair**

- 6.2.1. Jeannette Lichner provided an oral update on matters considered by the People Committee at its meeting on 6 July. She highlighted the consideration of the workforce planning framework, options in relation to the pay award, and delivery of the ICO 25 shifts of approach. She also explained that the Committee had reviewed the Modern Slavery Statement, which would be brought to the Board's next meeting for approval.
- 6.2.2. The Board discussed the potential benefits of a skills audit, with both a bottom up approach considering the skills currently in place, and a top down approach for the future skills required. The expectation was that further technical and technological skills would be required.

## 6.3. **Update from Regulatory Committee Chair**

- 6.3.1. John Edwards provided an oral update on matters considered by the Regulatory Committee at its meeting on 29 June. He highlighted the discussion on regulation and the use of AI; the current regulatory risk review project; children's privacy; and re-prioritisation and re-evaluation of investigations to deliver the ICO 25 shifts of approach. He also explained that the Committee had discussed the ICO's potential role in relation to the government's Rwanda migrant policy.

## 7. [Any other business](#)

### **Location of future Board meetings**

- 7.1. The Board was informed that the intention was that future Board meetings would alternate between London and Wilmslow, once a suitable space had been identified at the London office. The Board welcomed this and commented that it would be useful to give the Board more opportunities to meet the staff based at these offices.

## [Attendance](#)

### **Members**

Ailsa Beaton	Non-executive Director
Emily Keaney	Deputy Commissioner (Regulatory Policy)
Jane McCall	Non-executive Director
Jeannette Lichner	Non-executive Director

John Edwards (Chair)	Information Commissioner
Nicola Wood	Senior Independent Director
Paul Arnold	Deputy CEO and Chief Operating Officer
Ranil Boteju	Non-executive Director
Tracey Waltho	Non-executive Director

**Attendees**

Ange Balakrishnan	Executive Director (Strategic Communications and Public Affairs)
Angela Donaldson	Director of Finance (for item 4.3)
Claudia Berg	General Counsel
Jen Green	Executive Director (Strategic Change and Transformation)
John Kavanagh	Director of Governance Transition
Kate Banks	Digital, Social and Creative Content Manager (for item 4.2)
Louise Byers	Director of Corporate Planning, Risk & Governance
Rob Holtom	Executive Director (Data, Digital and Technology)
Stephen Almond	Executive Director (Regulatory Risk)

**Secretariat**

Christopher Braithwaite	Corporate Governance Manager
Fiona Wilcock	Corporate Governance Officer