

Management Board minutes

20 November 2023

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

1. Introductions and apologies

- 1.1. Apologies for absence were received from Rob Holtom.
- 1.2. Nicola Wood explained that although John Edwards was attending the meeting, he had requested that she chair the meeting in his place.

2. Declarations of interests

- 2.1. No declarations of interests were made.

3. Matters arising from the previous meeting

Minutes

- 3.1. The minutes of the previous meeting had been approved as a correct record.

Actions

- 3.2. The updates regarding actions from previous meetings were noted.

4. Discussion items

4.1. **Corporate Risk register annual report and role of Audit and Risk Committee in overseeing the Corporate Risk Register**

- 4.1.1. Louise Byers presented a report providing the Board with information on the developments of the corporate risk and opportunity register over the last year and the work of the Audit and Risk Committee in overseeing the corporate risk and opportunity register.
- 4.1.2. The Board welcomed the report and the improvements which it demonstrated to the ICO's risk maturity over the past 12 months.
- 4.1.3. The Board discussed emerging risk areas, including delivery of organisational transformation through ICO 25, the skills and experience needed following completion of ICO 25, and the pace of change in the external landscape which the ICO

regulates. The Board also discussed the challenging environmental factors relating to the cybersecurity risk.

- 4.1.4. The Board discussed links between the risk appetite and risk scores, including risk target scores and when decisions were made to tolerate a risk at its current score. The Board would be provided with examples of where the risk appetite had driven decisions regarding risk scoring, tolerance and prioritisation.

ACTION: Louise Byers to provide the Board with examples of the risk appetite being used to drive decisions regarding risk scoring, tolerance and prioritisation. Due date: 22/1/24

- 4.1.5. The Board also discussed the risk in relation to compliance culture. The Board agreed that Audit and Risk Committee should receive further information about steps to be taken to ensure that the target score for this risk aligned to the risk appetite in this area.

ACTION: Louise Byers to provide Audit and Risk Committee with a report setting out the steps to be taken to ensure that the compliance culture risk target score aligned to the risk appetite for this area. Due date: 25/4/23

- 4.1.6. The Board highlighted the importance of emphasising consideration of risk throughout the organisation, particularly to "front-line" staff and was informed that this was a key part of the risk maturity action plan for the coming year.

4.2. **Financial strategy planning and scenario planning for future financial years**

- 4.2.1. Jen Green presented a report giving the Board information of long-term financial and workforce planning, ahead of budget setting reports coming to future Board meetings.
- 4.2.2. The Board was informed that a meeting was scheduled with the Secretary of State for Science, Innovation and Technology (DSIT) the following day for further discussions regarding financial planning for future years, prior to a public consultation taking place. Further briefing materials had been prepared for this meeting, these would be shared with the Board.

ACTION: Jen Green to provide Board members with the high-level briefing documents for the meeting with the Secretary of State for DSIT on 21 November. Due date: 30/11/23

4.2.3. The Board particularly discussed the importance of reshaping the workforce to deliver the requirements of the Data Protection and Digital Information (DPDI) Bill, including delivering efficiencies in existing services, particularly through automation. This would be a key focus of People Committee's future meetings.

4.2.4. The Board noted the importance of the ICO having sufficient resources to deliver its regulatory responsibilities effectively and to maintain its independence and looked forward to receiving information about the outcomes of the meeting with the Secretary of State.

ACTION: Paul Arnold and John Edwards to provide the Board with an update on outcomes of the meeting with the Secretary of State for DSIT on 21 November. Due date: 30/11/23

4.3. **Public Affairs vision**

4.3.1. Amanda Williams presented a report setting out the updated vision for the Public Affairs Directorate. The Board thanked Amanda and her team for development of the document, which was both clear and thorough.

4.3.2. The Board discussed the impact and implications of the public sector regulatory approach to date, the key messages for the ICO to convey across the public sector, the key stakeholders to engage with and the aspirations for relationships with those stakeholders, challenges in prioritising resources, and the importance of identifying and understanding future potential governmental and parliamentary priorities.

4.3.3. The Board commented that it would be useful for the vision to include further information of how overall success of the vision would be measured, along with further information about how the Directorate would engage with matters relating to personal finance.

4.3.4. The Board received assurance that the direction provided through the ICO 25 objectives had been extremely helpful

in developing the vision. The key challenge was identifying the most beneficial communities to focus on to maximise impact. The executive was continuing to take prioritisation decisions about this and further direction from the Board was not required at this point.

4.4. **UK Customer Service Institute Business Benchmarking Results**

- 4.4.1. Suzanne Gordon presented a report informing the Board of the outcome of annual customer service benchmarking and the actions emerging from this.
- 4.4.2. The Board particularly discussed customer satisfaction on complaints, which had been the area with lowest satisfaction score. The Committee was informed that this was overwhelmingly due to the outcome of complaints, rather than the level of service being provided and received information about next steps to try to further increase satisfaction in relation to complaints.
- 4.4.3. The Board also discussed the scope to benchmark against other organisations (particularly other regulators), accessing experiences and expertise from other regulators through professional networks, and whether there were any concerns in relation to the score on ethics not increasing in line with the trends of scores increasing across the rest of the survey.
- 4.4.4. The Board also requested that a small briefing pack be prepared to provide more information about volumes in each of the casework areas, to provide context to the percentages set out in the report.

ACTION: Suzanne Gordon to provide a briefing pack regarding volumes in each of the casework areas. Due date: 24/11/23

- 4.4.5. The Board agreed that it would be useful for it to receive further information about the customer service strategy which was being developed over the remainder of the year as a result of this survey.

ACTION: Suzanne Gordon to provide the Board with a report setting out the customer service strategy. Due date: 20/5/23

Louise Byers and Paul Arnold left the meeting at this point.

4.5. Clearview AI v Information Commissioner judgement

4.5.1. Claudia Berg, Rebekah Black and Sarah Jones presented a legally privileged report updating the Board on the recent judgement in this case.

4.6. Data Protection Law Reform update

4.6.1. Emily Keaney provided an update regarding progress with data protection law reform, including an update on progress of the DPDI Bill through the parliamentary process. The Board noted the update.

5. Finance

5.1. August income and expenditure report

5.1.1. Jen Green presented a report setting out the latest management accounts. The Board noted the report.

6. Performance reports

6.1. Management Board Scorecard (Q2)

6.1.1. Jen Green presented a report setting out information of corporate performance over the last quarter.

6.1.2. The Board discussed performance in responding to FOI complaints, where performance was not in line with the target primarily due to a backlog of aged cases relating to FOI requests made to the Cabinet Office. The Committee was informed that the ICO was continuing to meet with Cabinet Office to address this performance.

6.1.3. The Committee also discussed the range of enforcement options that were available under FOI legislation, including the level of public understanding that there were no powers for the ICO to issue fines under this legislation.

6.2. ICO 25 progress update

6.2.1. Jen Green presented a report setting out progress with delivery to date of the ICO 25 strategy to date.

6.2.2. The Board discussed the key challenges for delivery of ICO 25, particularly in relation to capacity.

7. Updates from Committees

Audit and Risk Committee

- 7.1. Ailsa Beaton provided an oral update on matters considered by the Audit and Risk Committee at its meeting on 3 November. She explained that draft minutes of the meeting had been circulated to the Board in advance of this meeting.
- 7.2. She updated the Board on updates to the external audit team at the National Audit Office and informed the Board of the quick development of strong working relationships with the new internal audit provider, the Government Internal Audit Agency.
- 7.3. She also reported that David Cooke had joined the Committee in place of Ranil Boteju.

People Committee

- 7.4. Jane McCall provided an oral update on matters considered by the People Committee at its meeting on 9 November. This meeting had focused on some of the key issues also discussed by the Board, particularly in relation to workforce planning and risks. She explained that workforce planning would continue to be a key focus for the Committee's future meetings.
- 7.5. She also reported that Ranil Boteju had joined the Committee.

8. [Any other business](#)

- 8.1. There were no items of other business.

[Attendance](#)

Members

Ailsa Beaton	Non-executive Director
David Cooke	Non-executive Director
Emily Keaney	Deputy Commissioner (Regulatory Policy)
Jane McCall	Non-executive Director
Jeannette Lichner	Non-executive Director
John Edwards	Information Commissioner
Nicola Wood (Chair)	Senior Independent Director
Paul Arnold	Deputy CEO and Chief Operating Officer
Ranil Boteju	Non-executive Director
Stephen Bonner	Deputy Commissioner (Regulatory Supervision)
Tracey Waltho	Non-executive Director

Attendees

Amanda Williams	Director of Public Affairs (for item 4.3)
Ange Balakrishnan	Executive Director, Strategic Communications and Public Affairs

Claudia Berg	General Counsel
Jen Green	Executive Director, Strategy and Resources
Louise Byers	Director of Risk & Governance
Rebekah Black	Director of Legal Services (Litigation) (for item 4.5)
Sarah Jones	Legal Executive (for item 4.5)
Stephen Almond	Executive Director, Regulatory Risk
Suzanne Gordon	Director of Public Advice and Data Protection Complaints Service (for item 4.4)

Secretariat

Christopher Braithwaite	Corporate Governance Manager
Fiona Wilcock	Corporate Governance Officer