Information Commissioner's Office

Information Commissioner's Annual Report and Financial Statements 2023/24

July 2024

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For the period 1 April 2023 to 31 March 2024

Report Presented to Parliament pursuant to Section 139(1) of the Data Protection Act 2018 and Section 49(1) of the Freedom of Information Act 2000 and Accounts Presented to Parliament pursuant to paragraph 11(4) of Schedule 12 to the Data Protection Act 2018.

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Performance report 5

Our **Performance overview** reviews our work across 2023/24. It sets out our key achievements, with case studies providing in-depth examination of some of our most impactful work.
It concludes with statistics covering the full range of our operational performance, summary reports on our financial performance, our sustainability performance and whistleblowing disclosures made to us, and a statement on the ICO's status as a going concern.

Accountability report 59

The **Accountability report**, includes declarations about corporate governance, remuneration and staffing, parliamentary accountability and audit reporting. In this section we also provide further details about our internal structures staffing and wellbeing.

Financial statements 92

The report concludes with our **Financial statements,** which set out our financial performance.

Information Commissioner's foreword

Welcome to the Information Commissioner's Office annual report for 2023/24. The year covered by this report was one in which artificial intelligence (AI) burst into our society in a transformative way. ChatGPT reached 100 million users within three months of launch, making it the fastest growing app in history. The UK became home to over 1,300 AI companies. The NHS started using AI to automatically process scans for patients with prostate cancer. And many organisations, including us, had our agendas disrupted and diverted.

The emergence of AI and the inevitable questions that follow around its regulation and development are two issues that my office has been looking at in detail over the past year.

Reading over this report, I am struck by the diverse nature of my roles as Information Commissioner. Some of the cases we see and investigations we undertake are caused by simple human error – an email that didn't use BCC, for example, or a breach caused by old, out of date software. On the other hand, I have teams looking at the potential privacy implications of quantum technologies and other examples of emerging technology being rolled out in the next two to five years. This has presented some strategic challenges for us in terms of where to best deploy our resources.

Reflecting on this, we had to make a conscious decision to divide our finite resources – to both explore and support the new innovations coming down the track, and to continue providing expert guidance for the organisations we regulate and taking action where necessary for the people we protect. Our organisation was split into two metaphorical tiers, with the vast majority of our resources dedicated to our strategic mission of empowering you through information – whether that's organisations or people – and the rest of our resources diverted to scanning the technological horizon for potential data protection

> We are preparing for a volatile and uncertain future, as are many organisations across the country. However, we remain focused on our mission to empower you through information.

risks and providing specialist support and resource to help those working with innovative technologies.

The reality remains that we are a whole-economy regulator, which means we have to be selective about where we focus our efforts. This is an ongoing process, but one I believe you can see the beginnings of as you read through this report.

Our purpose, our strategic enduring objectives – all of these serve as guidelines and guardrails as to our priorities. And we will hold ourselves accountable to these objectives, ensuring that our work continues to help us achieve them.

We are preparing for a volatile and uncertain future, as are many organisations across the country. However, we remain focused on our mission to empower you through information.

John Edwards

8 July 2024

Senior Independent Director's report

The pace of digital change means the landscape we regulate is constantly transforming. Today, the balancing act between safeguarding people's personal information and supporting organisations to innovate responsibly has never been more important. Empowering people through information continues to be at the heart of everything we do. I am incredibly proud of the work the ICO has done this year to champion the public's information rights.

These rights are about people and the human impact of our work has really shone through. From protecting children's data by fining TikTok, to raising awareness of how data breaches can put domestic abuse survivors at risk, to further supporting victims of predatory marketing, the ICO has been safeguarding and empowering the people who need our support the most.

On the Management Board, we have worked closely with the executive team to develop an effective strategy for this work and monitor its timely delivery.

Our work in priority areas such as children's privacy, AI and biometrics and online tracking continues. We're looking to the future, consulting on generative AI and considering the risks of novel technologies, and we're delivering regulatory certainty for businesses with new products, services and resources to promote compliance and transparency.

During my time at the ICO the Management Board has sought to mitigate the weaknesses in the corporation sole governance model whilst also recognising its strengths. The Data Protection and Digital Information (DPDI) Bill proposed a new governance model for the ICO, which was aimed at making us more resilient as a regulator and increasing the diversity of our strategic leadership – we welcomed this.

We're looking to the future, consulting on generative AI and considering the risks of novel technologies, and we're delivering regulatory certainty for businesses with new products, services and resources to promote compliance and transparency.

Throughout 2023/24 the Management Board had been preparing for this transition, helping to shape the thinking about how the organisation will work effectively and make the best use of its powers to face new challenges and opportunities head on. Whilst the Bill did not become law, the ICO will still benefit from much of the learning made during its progress. I am grateful to the teams who have worked so hard on all the transition projects.

I also want to thank our committees who have guided the ICO through various organisational changes.

Our Regulatory Committee has played a vital role in overseeing and driving forward the Regulatory Risk Review Project, which will help ensure the ICO's regulatory interventions are fit for purpose. Our People Committee has focused on developing leadership at all levels to ensure we have the right values, capacity and skills to continue to deliver ICO25, as well as improving our efficiency as we work towards our strategic goals.

Our Audit and Risk Committee has developed their overview of potential risks, ensured our control framework remains fit for purpose and that any issues were promptly addressed.

I would also like to thank my colleagues on the Management Board for their continuous contributions this year, not only in providing strategic direction for the ICO but offering valuable support, challenge and guidance as we navigate new waters.

Finally, I would like to express my gratitude to all ICO staff, at every level and from every department, for their hard work and commitment over the last 12 months. Working as one ICO, we have embraced change to deliver great achievements and made significant progress towards the vision set out in ICO25.

On behalf of all the Management Board, I am confident that the ICO will continue to successfully serve both the people we protect and the organisations that we regulate.

Nicola Wood, MBE

8 July 2024

Our purpose and strategic enduring objectives

The ICO exists to empower you through information.

We empower you...

as a member of the public to confidently contribute to a thriving society and sustainable economy.

to confidently plan, invest, innovate and grow your organisation.

by promoting openness and transparency from public bodies.

to hold us to account for the difference we make when enforcing the laws we oversee.

Further details about our purpose are available on our website.

Our strategic enduring objectives:

1 Safeguard and empower people.

2 Empower responsible innovation and sustainable economic growth.

3 Promote openness, transparency and accountability.

4 Driven by our values, we'll continue to develop the ICO's culture, capability and capacity.

Further details about our strategic enduring objectives are available on our website.
Part B of the report includes information about the key risks to achieving these objectives during 2023/24 (page 68) and organisational structure (page 61).

The legislation we oversee

Data Protection Act 2018 **DPA 2018**

and

UK General Data Protection Regulation **UK GDPR**

Gives people rights over how their personal data is collected and used, ensure organisations are accountable for using personal data safely and facilitate the social and economic benefits that come from responsible data sharing.

Privacy and Electronic Communications Regulations 2003 **PECR 2003**

Regulates the use of electronic communications for the purpose of marketing to people and organisations, using cookies (or similar technologies), keeping public electronic communications services secure and maintaining the privacy of customers using communications networks or services.

Freedom of Information Act 2000 **FOIA 2000**

Gives people a general right of access to information held by most public authorities. Aimed at promoting a culture of openness and accountability across the public sector, it enables a better understanding of how public authorities carry out their duties, why they make the decisions they do and how they spend public money.

Network and Information Systems Regulations 2018 **NIS 2018**

(NIS) establish a common level of security for network and information systems. These systems play a vital role in the economy and wider society, and NIS aims to address the threats posed to them from a range of areas, most notably cyber attacks.

Environmental Information Regulations 2004 **EIR (2004)**

Provides means of access to environmental information. The EIR cover more organisations than FOIA, including some private sector bodies and have fewer exemptions (referred to as 'exceptions' in the EIR).

Re-use of Public Sector Information Regulations 2015 **RPSI 2015**

Gives the public the right to request the re-use of public sector information and details how public bodies can charge for re-use and license the information. The Information Commissioner deals with complaints about how public bodies have dealt with requests to re-use information.

Infrastructure for Spatial Information in the European Community Regulations 2009 **INSPIRE (2009)**

Gives the Information Commissioner enforcement powers in relation to the proactive provision by public authorities of geographical or location-based information.

Investigatory Powers Act 2016 **IPA 2016**

Imposes duties on communications service providers when retaining communications data for third-party investigatory purposes when issued with a notice from the Secretary of State. The Information Commissioner has a duty to audit the security, integrity and destruction of that retained data.

Electronic Identification and Trust Services for Electronic Transactions Regulations 2016

and the

Electronic Identification and Trust Services for Electronic Transactions (Amendment etc) (EU Exit) Regulations 2019 UK eIDAS (2009) Regulations

Known collectively as the UK eIDAS Regulations, they set out rules for the security and integrity of trust services including electronic signatures, seals, time stamps, documents, electronic registered delivery services and website authentication certificates. The Information Commissioner has a supervisory role towards organisations providing these trust services, including being able to grant qualified status to providers and the ability to take enforcement action.

Enterprise Act 2002

Enterprise Act 2002 (Part 8)

Made various reforms to competition law and consumer law enforcement in the UK. Part 8 of the Enterprise Act deals with provisions for the enforcement of consumer protection legislation. The Information Commissioner has powers under Part 8 of the Enterprise Act as a "designated enforcer" in relation to domestic infringements and infringements listed in Schedule 13. The ICO is also a "Schedule 13" enforcer which gives additional powers in relation to infringements listed in Schedule 13.

We launched our strategic plan, ICO25, in October 2022. Last year's annual report outlined our achievements and successes in delivering against the first year of the plan's strategic enduring objectives. We now present a review of our achievements and successes during the second year of ICO25.

A year in review

We have worked hard to deliver our enduring strategic objectives. Here are our main achievements during 2023/24:

35,332	273,338	54,256	9,614
data protection complaints	answered telephone calls	live chats	advice emails answered
2022/23 39,724	2022/23 309,417	2022/23 70,567	2022/23 9,247

Objective 1.

Safeguard and empower people, particularly the most vulnerable in society, by upholding their information rights and enabling everybody to confidently contribute to a thriving society and sustainable economy. We've improved our services to people who contact us, and we have developed a subject access request (SAR) tool to help them submit good-quality SARs to organisations, helping both sides. Our market research survey has increased our understanding of the people we protect and has given us valuable insight into how the public perceive and understand their information rights.

We've used our PACE approach (prioritise; act; collaborate; engage) to tackle areas of emerging concern and harm quicker and more efficiently. We've continued our work to protect children's privacy, working with partner organisations and regulators on topics like age assurance and content moderation.

Objective 2.

Empower responsible innovation and sustainable economic growth, by providing regulatory certainty about what the law requires, reducing the cost of compliance and clarifying what we will do if things go wrong. This enables those we regulate to plan, invest and innovate with confidence. We've reduced the cost of compliance by sharing lessons learned from reprimands, hosting our free annual conference which was attended by almost 5,400 practitioners and launching our Innovation Advice service to provide fast, free advice to overcome any data protection difficulties when creating a new product or service.

Objective 3.

Promote openness and transparency, supporting the development of a modern FOIA and EIR practice framework in the UK, inspiring confidence in public services and democracy. We've increased our output of handling FOI and EIR complaints, receiving 8,080 freedom of information complaints in the year, as well as delivering more freedom of information outcomes, such as 2,227 statutory decision notices. We have focused our limited resources in areas where we can have the most impact and implemented our new prioritisation approach to FOI cases.

Objective 4.

Continuously develop the ICO's culture, capacity and capability, to deliver impactful regulatory outcomes, be recognised as an effective provider of public services, a knowledgeable and influential regulator and a great place to work and develop. We've made changes to better focus our work, to be more inclusive, respectful and empathetic, to improve our transparency and to provide regulatory certainty. We've done all this through internal training programmes, updated strategies and full reviews of our existing processes. We've improved our performance management and invested in better technical capabilities by expanding our Digital, Data and Technology team and developing a data strategy.

Our year in summary

April 2023

4 **£12.7m fine issued to TikTok**

24 Guidance for how people's personal information might be used in local elections

25 Launch of FOI toolkit for public bodies to deal with vexatious requests

May 2023

9 Emily Keaney covers questions police must ask when considering sharing personal information

15 Three local councils reprimanded for failing to answer FOI requests

24 New SAR published to help employers

24 **Ministry of Justice reprimanded after leaving confidential information in prison holding area**

June 2023

8 **Warning of "real danger" of discrimination in new technologies that monitor the brain**

8 Combined £250,000 fine issued to two energy companies for unlawful marketing calls

15 Stephen Almond speaks at Politico's Global Tech Day to call for businesses to address privacy risks of generative AI

30 Enforcement notice issued to Croydon Council for failing to respond to FOI request

July 2023

6 Data protection and journalism code of practice submitted to secretary of state

13 ICO backs GamProtect to protect gamblers from harm following trial in our Sandbox

18 Joint letter with FCA to UK Finance and Building Societies Association to ensure customers receive fair value on their savings

24 **Social media campaign linking the Barbie movie to keeping children safe online**

26 Statement issued on banks gathering personal information and sharing it with the media

August 2023

1 Reprimand issued to NHS Lanarkshire for sharing patient data via WhatsApp

9 Call with CMA for web developers to stop using damaging web design practices that may harm users

22 **Call for evidence launched for victims of "text pests" to come forward to assess impact**

24 Joint statement with eleven other data protection and privacy authorities calling for an end to unlawful data scraping on social media sites

September 2023

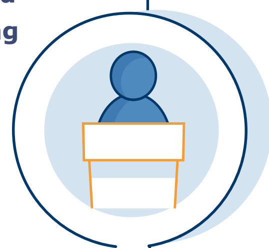
7 Review launched into period and fertility apps to address concerns about data security

14 John Edwards calls for organisations to share information to protect children and young people at risk

27 **Organisations told to safely handle personal information of domestic abuse survivors**

28 Call for public authorities to stop using spreadsheets in FOI responses

October 2023



3 **John Edwards delivers keynote at our Data Protection and Practitioners' Conference 2023, with over 5,300 attending**

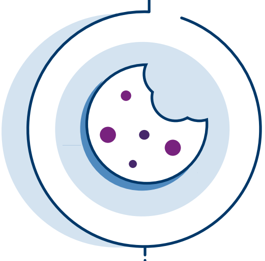
6 Preliminary enforcement notice issued to Snap Inc over potential failure to properly assess privacy risks

10 Reached over 18,000 people with a creative social media post tying into the David Beckham documentary

12 Paul Arnold speaks at PDP's Data Protection Compliance Conference 2023

13 Call for entrants to the Regulatory Sandbox for 2024

November 2023



2 Three fines totalling £170,000 issued to three firms for illegal direct marketing

14 Findings of investigation into tracing agent sector

15 Top tips issued for consumers buying smart devices on Black Friday

21 **Top UK websites warned to make cookie changes**

29 Findings issued from reviewing "text pests" complaints

December 2023

6 John Edwards speaks at TechUK Digital Ethics Summit, warning against 2024 becoming the year people lose trust in AI

12 Consultation on two pieces of employment and data protection guidance

13 Ministry of Defence fined £350,000 for Afghanistan evacuation data breach

30 **Senior Independent Director Nicola Wood and Deputy Chief Executive Paul Arnold awarded MBEs in the King’s New Year Honours list**

January 2024

12 HelloFresh fined £140,000 for spam texts and emails

15 First in a series of consultations opened on generative AI

18 **Commissioner’s Opinion published on age assurance for the Children’s code**

25 South Tees Hospital NHS Foundation Trust reprimanded for “serious, harmful” data breach

29 New campaign launched to raise awareness about responsible data sharing to protect children from harm

February 2024

8 Reminder issued to all app developers to prioritise privacy

14 Practical data protection tips for small beauty and wellbeing businesses

23 **Enforcement notices issued to Serco Leisure to stop using facial recognition technology to monitor attendance of employees**

28 Call for evidence launched for people’s experiences of the UK care system to share their challenges when accessing care records

29 Memorandum of Understanding signed with the Federal Communications Commission

March 2024

1 Enforcement notice issued to Home Office for pilot of GPS monitoring of migrants

4 **Open letter and regulatory action against five public authorities for failings under the FOI Act**

5 Charity told to stop sending unsolicited texts without consent

6 Call for views launched on regulatory response to “consent or pay” cookies model

18 Publication of fining guidance

Performance overview

This section of the report describes highlights of our performance and impact during 2023/24. After this is a performance analysis section, which provides key performance indicators (KPIs) and statistical data.

Measuring our impact

Measuring the impact of our work is at the heart of what we do. We focus on making sure our delivery is outcome-focused and monitor how we achieve this through qualitative and quantitative measures.

We want to make progress towards meeting the objectives we set ourselves in the ICO25 strategy. To help us measure the impact of our regulatory work, we have identified a set of KPIs that are linked to those objectives. The KPIs are measured every quarter and monitored by senior management.

There's more information about our performance in the performance analysis section on page 28.

During 2023/24, we commissioned public research to gain greater insight into how our work affects our stakeholders. This research will help us track awareness of the ICO and our values, awareness of information rights more broadly and our effectiveness in achieving our strategic objectives over time. There's more about our research, including what we found, in our performance overview later in this section. This research will show us, over time, if we're achieving our targets – allowing us to shift and change our approach if we need to.

We have also commissioned research to increase our awareness of data controllers and their personal information processing activities, their use of technology and innovation activities and their interaction with data protection regulation. The study included a quantitative survey with 2,280 participants and a qualitative survey with 20 participants. The findings have told us that we should measure the sentiment, outcomes and performance of our ICO25 strategic plan. They have also provided the evidence base to inform our thinking across a broad range of policy. There's more about our research, including some of the case studies it highlighted, later in this section.

Objective 1: Safeguard and empower people

This section shows how our work has improved the awareness, understanding and effective use of information rights across society.

Empowering people to access their personal information

Prioritisation and PACE projects

As part of our prioritisation work, we have implemented a new PACE approach. PACE stands for:

- **P**rioritise
- **A**ct
- **C**ollaborate
- **E**ngage

It is intended to provide a rapid, cross-office, multidisciplinary response to an emerging issue. Here are details of some of the PACE projects completed in 2023/24.

Tracing agents:

We investigated whether tracing agents, such as private investigators, were using personal information to track down domestic abuse survivors and passing it to former abusive partners. Our enquiries did not find evidence that this had happened, but our resulting communication campaign focused on the people affected by domestic abuse. Our campaign included case studies and support from Women's Aid and the Domestic Abuse Commissioner. We were able to work with industry groups and charities to ensure organisations are handling the personal information of domestic abuse survivors appropriately and keeping them safe.

Migrant tagging:

This project investigated a Home Office pilot scheme that placed ankle tags on up to 600 migrants in the UK who were on immigration bail. We issued a warning to the Home Office against continuing with or rolling out the scheme more widely. In the longer term, we expect our action to increase compliance with data protection legislation in future electronic monitoring projects by central government or other organisations.

Period and fertility apps:

This project looked at period and fertility apps to understand how they process personal information. We also wanted to identify if this processing negatively affected users. Our announcement of this project was covered in the BBC, Mail Online and Daily Telegraph. We had a higher-than-expected response rate to our survey on users' experiences. Our enquiries found no evidence of apps using people's data in a way that could cause them harm, allowing us to reassure those who found these apps useful.

We focus on helping people to understand their rights and how they can use them to help themselves and others. One example of this is the launch of our new SAR tool in September 2023, enabling 15,465 individuals to more easily access their personal information.

Understanding public sentiment to better serve a diverse population

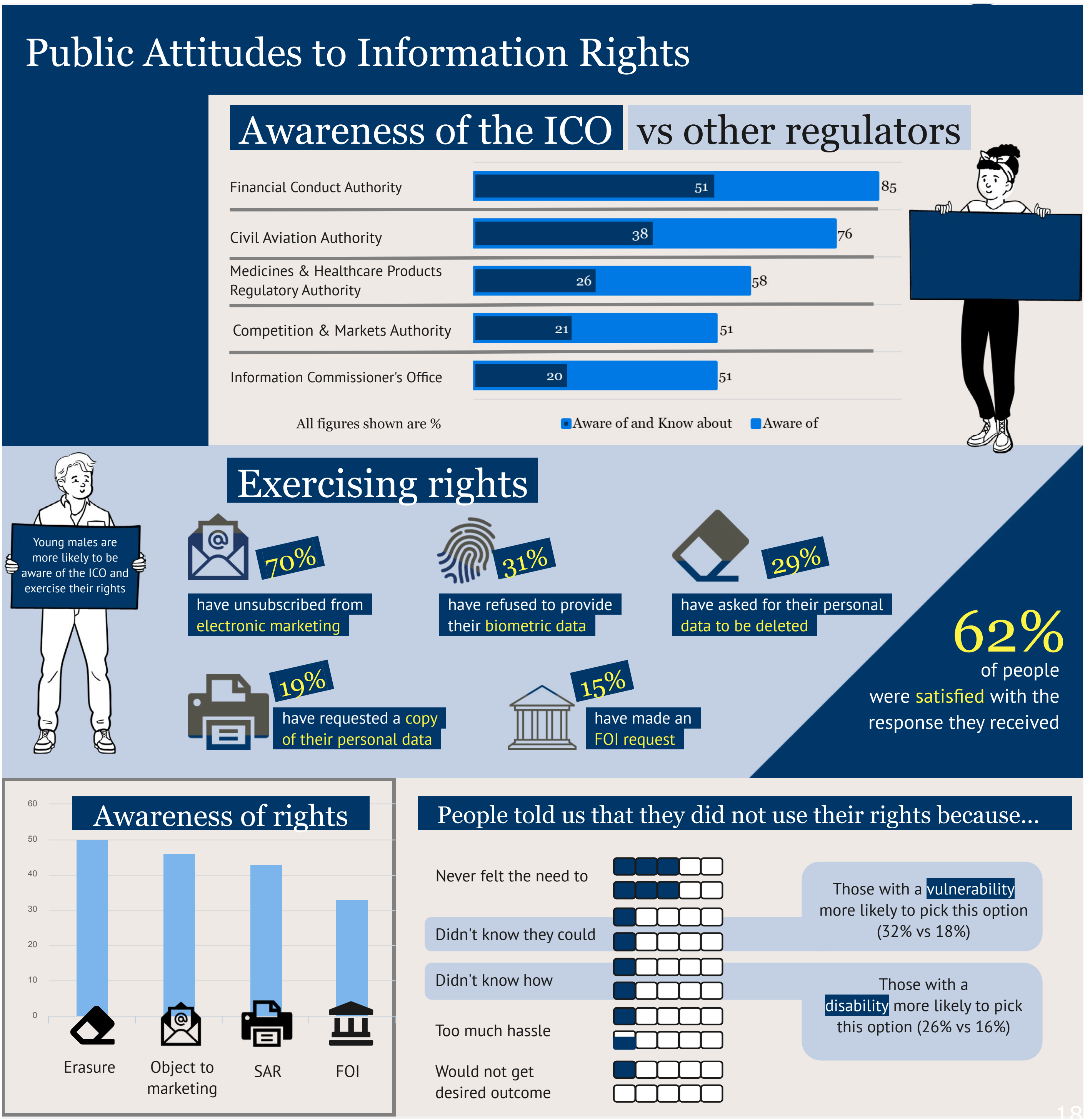
Research

This year we conducted the Data Lives study, a qualitative and ethnographic research project using a sample of 30 people across the UK. We wanted to learn the role that personal information plays in daily life and how this differs demographically.

To complement our research, we have launched a multi-year survey to provide a robust, quantitative evidence base to enhance understanding of the UK public's attitudes and experiences. This research, [Public Attitudes to Information Rights (PAIR)](), has enabled us to:

- assess performance based on indicators aligned with our ICO25 strategy;
- inform decision-making and prioritisation; and
- ensure that services and communications are developed with a strong focus on meeting people's needs.

These are some of the things we found:



Community outreach

We have worked with some communities who have faced difficulties exercising their information rights or who want to learn more about how these rights can help them. Examples of those we have worked with include people with care experience and a charity that supports the gypsy traveller community. In addition, we held a **Scottish Privacy Forum** event on artificial intelligence (AI) and vulnerability and a **'Meet the Commissioner'** event in Northern Ireland, focused on the voluntary and community sector. All these events and subsequent engagement have focused on raising awareness of people's rights and ensuring that people are equipped with the tools and knowledge to exercise those rights.

Identify and protect the most vulnerable

Children's privacy

As part of our ongoing work on children's privacy, we developed our [2024/25 priorities] which were published on 3 April 2024. We have worked with online services and suppliers of age assurance systems to understand the risks and potential harms to children using information society services, such as social media platforms.
In doing so, we have conducted important research, published new policy positions and worked closely with Ofcom and the Digital Regulation Cooperation Forum (DRCF). We provided guidance on what we meant by 'likely to be accessed by children' in our Children's code. We also published our [Commissioner's Opinion on age assurance for the Children's code].

This was a revised opinion, updated to include technological and legislative developments.
As part of our ongoing commitment to protect children's data online, we have completed six investigations concerning children's privacy during 2023/24 and are finalising four investigations. Together with the three investigations we did in 2022/23, this completes the work arising from our targeted assessment of key organisations in this area that we identified during 2022/23.

AI and biometrics

In February 2024, we published new guidance for providers of biometrics recognition systems, covering controllers, processors and relevant third parties. It covers the definition of biometric data under the UK GDPR and the processing of special category biometric data. We'll be following up with a second phase of this guidance later in 2024. It will focus on biometric classification and include a call for evidence. We have also carried out a series of audits looking at the use of AI in the recruitment sector. Later in 2024, we expect to publish an outcomes report, detailing our findings.

Supporting and enabling the use of information rights

Our communications work focuses on helping people understand their information rights. By being proactive in talking about our work, we have grown our media coverage by 61% in 2023, with a strong message throughout of safeguarding and empowering people. Our creative social media content finds identifies links from information rights to everything from David Beckham to Eurovision. These approaches came together in our Help Gran Stop Spam campaign, which asked friends, family and neighbours to help loved ones affected by predatory calls. The campaign caused a spike in reports of unwanted calls and registrations to the Telephone Preference Service. It won the 2024 PRMoment Public Sector Campaign of the Year award.
We support members of the public when they contact us about their information rights - for example, through the outcome decisions we issue when people complain to us, as well as through advice and guidance on our helpline and live chat services and via our website and social media channels.

Online tracking

In November 2023, we warned 53 of the UK's top 100 websites that they faced enforcement action if they did not make changes to comply with data protection law. We reminded organisations of our clear guidance that they must make it as easy for users to reject all advertising cookies as it is to accept all.
Of the 53 organisations we wrote to, 38 had changed their cookie banners to be compliant and a further four committed to reach compliance within a month. Several others were working to develop alternative solutions, including contextual advertising and subscription models.

Work to protect those at risk from predatory marketing campaigns

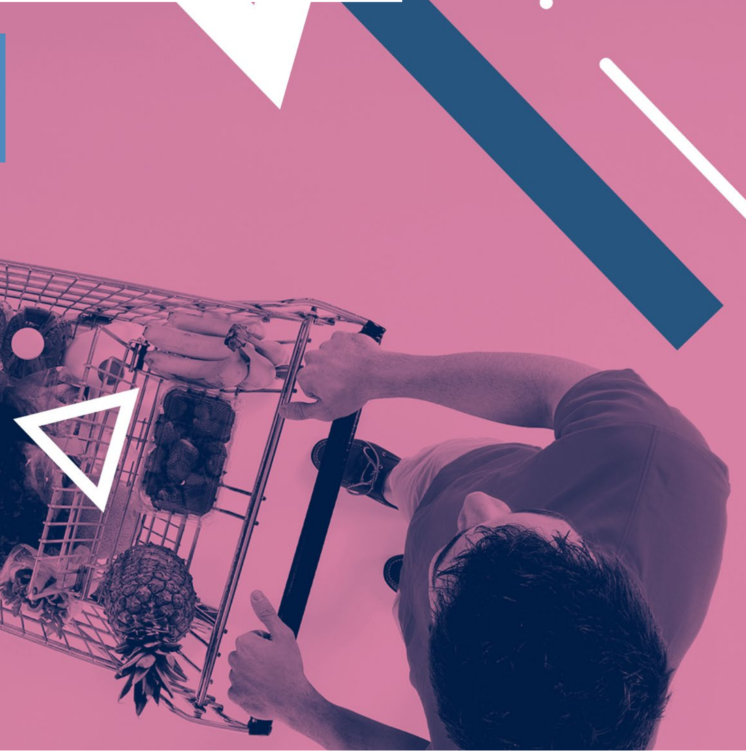
We have issued 26 monetary penalty notices (2022/23: 19 penalty notices) totalling £2.59m (2022/23: £1.88m) and 26 enforcement notices (2022/23: 14). Throughout this work, we have focused on organisations undertaking predatory marketing communications targeting people who were, or may be, at most risk of harm or potentially likely to respond to high-pressure marketing practices. In line with ICO25, we targeted our resources towards enforcement action where people were at most risk of harm, for example through debt management and personal loan or 'green energy' schemes.

Accessing information

We focus on helping people understand their rights and how they can use them to help themselves and others. One example of this was the launch of our new SAR tool in September 2023. In the first six months, over 15,000 people used the tool to help get easier access to their information.

Objective 2: Empower responsible innovation and sustainable economic growth

Understand and respond to emerging technologies and trends



Clearly set out views on emerging technologies to reduce burdens on business, support innovation and prevent harms

We set out our initial views on the privacy implications of neurotechnologies in a report in June 2023. In partnership with DRCF regulators, we also published reports on immersive technologies and quantum computing.

In February 2024, we published the latest edition of our Tech Horizons report, highlighting the most significant technological developments which may threaten privacy in the next two to five years.

Upfront advice and support – balancing the focus between innovation opportunities and risk

Innovation Advice

In July 2023, we launched our **Innovation Advice** service. This fast, direct service helps innovators overcome any data protection difficulties holding up the progress of their new product, service or business model.

The service was the winner of PICCASO's Best Innovation Privacy Project for 2023, following nominations by businesses.

Our **Innovation Hub** continues to advise pre-market innovators on data protection by design and key areas of data protection compliance, such as AI. The Innovation Hub supported the Safety Tech Challenge Fund 2 (STCF2) in 2023/24, which was aimed at developing proposals on how to identify and disrupt the sharing of links to child sexual abuse material online.

By implementing data protection by design and default, participating businesses reduced their costs and saved time.

Below are examples of their feedback:

- One micro business reported that their engagement with the Innovation Hub resulted in increased understanding and confidence around data protection as well as time savings for their business:
  "I think it gave us clarity and confidence to go ahead with our approaches faster, without having to do additional analysis."
- A small business at proof-of-concept testing stage also strongly agreed that its engagement with the hub resulted in time and cost savings. The company estimated potential cost savings of £50,000 to £100,000. In particular, it said:
  "The estimate covers the upfront costs of legal advice, and potentially the need for re-engineering to accommodate advice later in the process."

Innovation Advice and the Innovation Hub complement the more in-depth support provided by our regulatory sandbox, which successfully completed eight projects over the last year. All participants agreed or strongly agreed that, following their sandbox project, they:

- have a better understanding of how to comply with data protection law;
- are more confident to develop innovations in a privacy-compliant way; and
- are better able to reduce risks or potential harms to people.

Bringing down the burden or cost of compliance by enabling those we regulate to learn from us and others

Subject access request (SAR) tool

Our new SAR online tool aims to reduce the cost of compliance for organisations, which the Department for Science, Innovation and Technology (DSIT) research has estimated to be £75 per SAR for SMEs and £375 per SAR for large businesses. If the SAR tool delivers a saving of 1% per SAR for businesses, this could give annual savings of around £37m for UK businesses and organisations. This will reduce the regulatory burden and unlock investment elsewhere in the economy.

Small-to medium-sized enterprises (SME) hub

We have increased our work to support small organisations, partnering with the National Cyber Security Centre to produce short, easy-to-understand videos on setting strong passwords and multi-factor authentication. We have developed content for a charity training programme to support new start-ups and help them grow. We also produced a range of materials to help industry bodies, professional associations and anyone else who works with small organisations to support their members on data protection.

We increased our activity with new business start-ups, writing to almost 800,000 newly-registered businesses with Companies House to explain the importance of good data protection practices. We also directed them to our website for resources and information. We piloted a support programme for a cohort of new data protection fee payers, producing a series of email guides and webinars to introduce them to data protection basics and support them to confidently use data to grow their businesses.

Data Protection Practitioners' Conference (DPPC)

Our free-to-attend Data Protection Practitioners' Conference attracted 5,397 delegates, twice as many as in 2022 (2,581). And it led to meaningful change: 82% learned something new and 72% took action to put that knowledge into practice.

Codes of conduct and certification schemes

The UK is leading in this area, having approved and published five data protection certification schemes so far. There are currently no approved codes of conduct, but a number are being developed and we are supporting relevant trade bodies through the process.

Deliver timely regulatory interventions

We have developed a new Regulatory Action Framework that will ensure consistent decision-making. It focuses on five key objectives:

- increasing impact;
- reducing risks;
- enhancing agility;
- boosting confidence; and
- optimising efficiency.

The framework identifies 21 regulatory interventions and will enable us to act quicker and be more impactful. We will continue to review and implement these changes in 2024/25 to improve our agility and efficiency in achieving good regulatory outcomes.

Legislative reform

Through the year, we were preparing for the upcoming Data Protection and Digital Information (DPDI) Bill. As part of this work, we published three documents setting out our position on the Bill and amendments at key stages as it passed through Parliament:

- The Information Commissioner's response to the DPDI Bill in May 2023.
- An updated Information Commissioner's response to the Bill in December 2023.
- A further updated response to the Bill in March 2024.

As a result of the decision to call a General Election for 4 July 2024, the DPDI Bill did not complete its parliamentary passage and will therefore not proceed to become law.

Produce proportionate and transparent guidance to provide regulatory certainty

Produce sector-specific guidance with representative groups that provides more targeted compliance advice

We launched the sector-specific guidance project which focused on health and social care, education and law enforcement. In total, we have created nearly 50 guidance products, blogs, tips and advice pieces to support key public sectors that are responsible for providing services to a large proportion of the population across the UK.

Data sharing – promotion and tools

We produced a child safeguarding resource tool to complement existing guidance in our data sharing hub. We published the 10-step guide to sharing information to safeguard children in September 2023 and began a campaign called 'Think. Check. Share' to promote the materials to frontline workers who needed them in key sectors. The guide aims to tackle some of the barriers to data sharing and provide practical advice and best-practice case studies.

Consult stakeholders for input into the development of statutory guidance and codes

We reviewed and updated our consultation policy which was published in January 2024 and routinely consult stakeholders on new and updated guidance products.

Produce impact assessments

Over the last year, we have published five finalised impact assessments (IAs), which weigh the costs and benefits of our actions. All our IAs show the positive impact of our work and are published on our website.

Enable international data flows through regulatory certainty

Adequacy assessments

We support the government in undertaking adequacy assessments and making regulations to enable personal information to flow freely in our global, digital economy to trusted partners. The ICO's role in helping the government with its adequacy work is set out in memorandums of understanding.

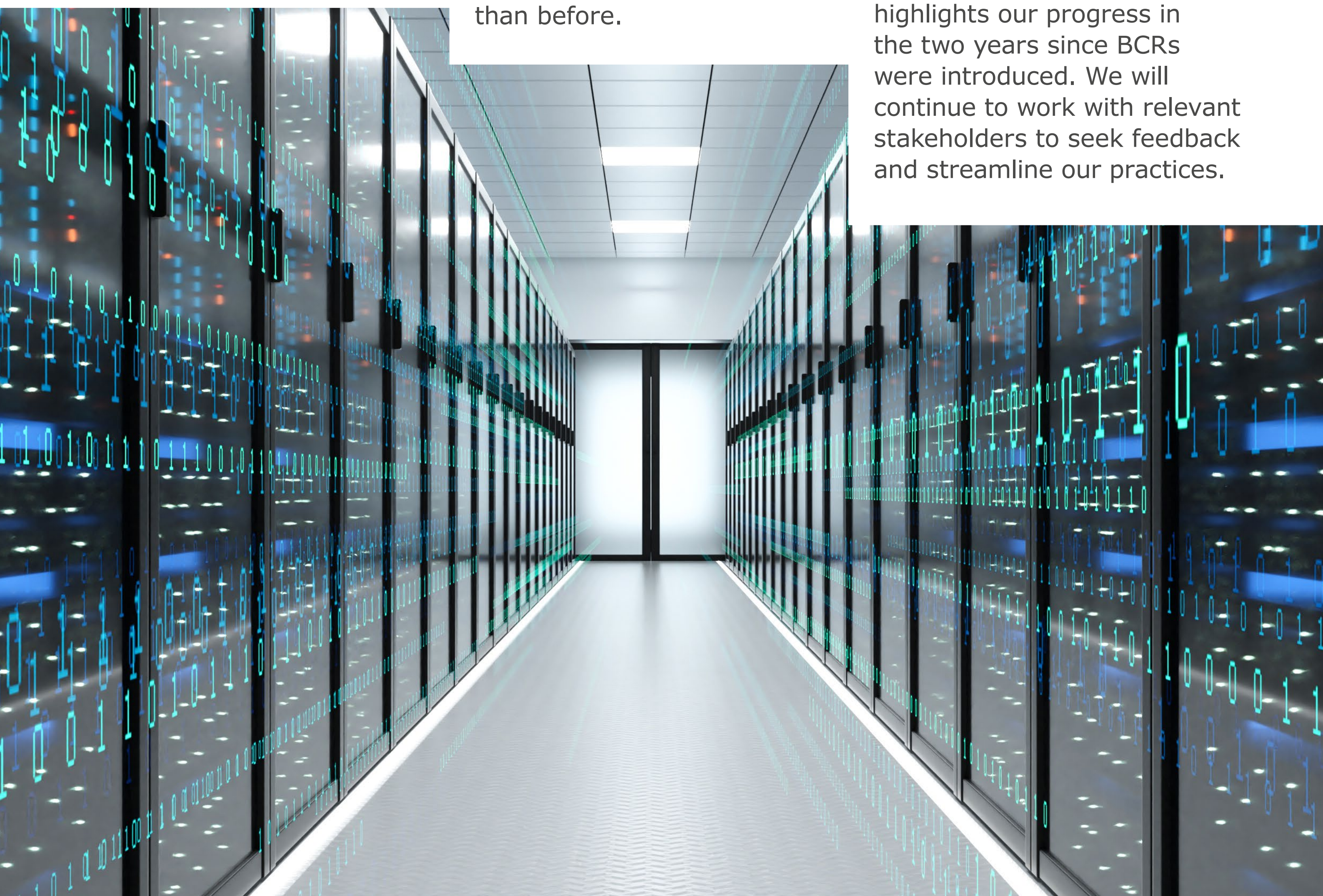
Binding corporate rules (BCRs)

We have developed new tools for approving UK binding corporate rules (BCRs), including introducing the new UK BCR addendum. Applicants who already have an approved EU BCR can use the UK BCR addendum. This has transformed the process for approving BCRs, allowing us to process them much quicker than before.

We started the year with 69 open applications. We received one new application during the year and one application was cancelled.

We approved 10 UK BCRs this year, triple the number of approvals last year.

We expect this to increase steadily as applicants engage with the new processes. This highlights our progress in the two years since BCRs were introduced. We will continue to work with relevant stakeholders to seek feedback and streamline our practices.



Objective 3:
Promote openness and transparency

This section shows how our work has increased openness and transparency across the public sector.

Enable the public's access to information

Our performance on handling freedom of information (FOI) complaints has never been better. This year we have closed 96% of complaints in less than six months and – excluding the work to clear our backlog in 2022/23 – we have never issued more than the 2,227 decision notices we have given this year. However, demand for our FOI complaint service has also never been higher. We have received 8,080 complaints this year compared to a previous high of 6,418 in 2018/19.

Our non-casework teams have acted to support our wider statutory duties beyond complaint handling. We have updated our guidance on key aspects of the law to support public authorities. We have also published a range of upstream tools to support better compliance with FOIA and its codes of practice, including a new collection and reporting tool so authorities can publish their performance in line with the code of practice. We completed a 'lessons learned' exercise and published the final version of our new regulatory manual in summer 2023.

Focusing our FOI resources effectively

Although we cleared our wider post-Covid backlog by the end of March 2023, 109 complaints about the Cabinet Office remained in our system at the start of this financial year. As we told Parliament in June 2023, we put in place a bespoke approach to these cases and, by 31 March 2024, we had closed them all.

We implemented a new approach to prioritising FOI cases this year, based on our published prioritisation framework. This has seen us prioritise 250 cases, which we have closed on average within 10 weeks of receipt. We closed 61 of them informally, releasing some or all of the information in 26 cases. We issued statutory decisions in 146 cases, upholding the public authority's position in 88 cases, while finding them in breach of FOIA in some or all aspects in 58 cases. The remaining 43 cases were still open at year-end.

Encourage public sector standards and efficiency

In June 2022, we set out a revised approach to working more effectively with public authorities in our data protection remit. This approach means an increased use of our wider powers under data protection law, including warnings, enforcement notices and reprimands. The two-year pilot concluded in June 2024. We are evaluating the available evidence (including emerging themes from published reprimands against the public sector) and will publish findings and next steps during 2024/25.

Objective 4:

Continuously develop the ICO's culture, capacity and capability

To continuously develop the way we work to deliver our enduring strategic objectives, we have identified five 'shifts of approach' that we began in 2022/23. This forms part of our approach to ensure we set impactful priorities.

Enable efficiency, productivity and collaboration

When we launched ICO25 we recognised that we needed to shift our approach in five key elements of our work right across the office.

- We needed to prioritise with simplicity and agility. This meant we needed to understand where to focus our attention, how to achieve priorities at pace and when to move on.
- We also wanted to be more inclusive and empathetic by improving our insight and understanding of those we regulate.
- We wanted to operate transparently to provide great customer service, routinely and extensively sharing our knowledge and insight, sharing our tools and creating helpful products.
- We also looked to improve regulatory certainty, by enabling people to understand our expectations, predict our actions and rely on our advice.
- We wanted to maximise the technical capability of our people and our systems. This meant increasing our workforce capability and realising the benefits of our digital tools and the resources we invest in.

To do all this, we have worked on each shift of approach to ensure we improve how we support the delivery of our strategic objectives. For example, we are doing the following things:

- **Embedding our high-performance strategy**

In July 2023, we launched our high-performance strategy. This guides the development of our culture, capability and capacity through to 2028. We expect everyone to live our values and behaviours. Through the high-performance strategy, we're working to ensure that all our teams have clarity and effective leadership and consider diverse thoughts and perspectives to achieve their objectives. We have launched our new leadership development programme that will see all people managers complete mandatory modules designed to enable them to be effective leaders.

- **Refreshing our Digital and IT strategy**

In July 2023, we launched our Digital and IT strategy. This formed part of our high-performance strategy. In April 2023, we implemented our new Enterprise Resource Planning (ERP) system, Workday. We plan to begin phase two of this project, focusing on additional functionality in workforce and financial modelling, in 2025/26.

- **Developing a data strategy**

How we manage and use data is critical to achieving our ICO25 ambitions. In 2023, we began work on our first Enterprise Data Strategy (EDS). Our new data strategy states how we intend to be an exemplar for responsible innovation in the use of data. We will use feedback from a public consultation to finalise our strategy so that we can publish it in summer 2024.

- **Developing our infrastructure**

In March 2024, to help optimise our live customer services productivity, we implemented technology to automate demand prediction, resource forecasting and staff scheduling. We will pilot this on our live services for organisations and use what we learn to determine the benefit of extending it across all our live services.

We have reduced the office footprint at our Wilmslow head office in line with lease breaks during 2023/24, while moderately increasing the size of our offices in London and Belfast. Using the opportunity to relocate two of our regional offices, we have completely modernised them. We ensured that the offices had integrated technology and included a blend of flexible workspaces. This allows for a range of focused working, face-to-face collaboration and hybrid meetings (ie, combining face-to-face and online). Our Belfast office was shortlisted as a finalist in the British Council for Offices (North Region) Fit Out of Workplace category.

We are also working to improve our website. It is already a major channel for communications by publishing resources, providing services and consulting and interacting with stakeholders. The site attracts 600,000 monthly visitors (2022/23: 600,000), 10 times the contact via our call centres. This work is designed to identify major shifts affecting our digital services in the next five years. We aim to develop a vision for how our digital services should evolve over this period.

- **Reviewing our approach to business planning**

We are improving how we prioritise and have committed to a small number of priority areas. This will enable us to more quickly and efficiently identify which projects are most important and how we should focus our resources. We want to make sure we increase the proportion of our resources invested in proactive support, guidance and advice. Our aim is to increase this, over time, to over 50% of our workforce. We also use risk and opportunity identification and horizon scanning to prioritise and be proactive in how we regulate. This enables us to identify areas where we can support the development of innovative products and services, as well as promoting growth in the UK economy.

Provide value for money for data protection fee payers

Ensure that all organisations that are required to register do so

We continued our work to increase our profile for organisations who may need to register with us. This is important to give people the reassurance that the information they give organisations is managed safely and securely. We contacted almost 1.3m UK organisations, growing the public register (which is available to download on our website) from 1.16m in April 2023 to 1.18m in March 2024.

Recover the costs of litigation

Following our agreement with the Treasury in June 2022, we have continued to cover internal and external legal costs for enforcement action and litigation using retained fine income. This allows us to use more of the data protection fees paid by small businesses to fund proactive and upstream support to comply with legislation ahead of complaints being made. We set out further information on fines issued and associated costs in the monetary penalties section later in this report.

Policy for using our data protection fee income reserves

During 2023/24, we delivered against our ICO25 objectives and commitments to help DSIT prepare for the DPDI Bill. We supplemented our income by gaining approval from the Treasury to use previous years' unspent data protection fees in our reserves. This ensured we could progress with our transformation programme while waiting for the outcome of the data protection fee review. DSIT started this review during 2023 and we expect to implement this during 2024/25. Our Going Concern statement later in this report (page 58) says more about our long-term financial position and our adoption of a going-concern basis.

Performance analysis

This section provides more details about our performance against key service objectives.

Key performance indicators

We have developed measures (key performance indicators, KPIs) for each of the objectives listed on page 9 to demonstrate delivery and to enable our stakeholders to hold us to account.

An explanation of how we developed the measures and how they relate to ICO25 is available on our website: How will we know if we have achieved our objectives?

The table below sets out performance against our KPIs for the year 2023/24 and includes our KPIs from 2022/23 for comparison. Performance measures for each objective are grouped in the table. We also provide a quarterly scorecard for the same measures on our website: our performance.

Objective one: Safeguard and empower people	Up to YE 31 March 2024	Up to YE 31 March 2023
We will assess and respond to 80% of data protection complaints within 90 days	**84.8%**	**65.0%**
We will assess and respond to 90% of data protection complaints within 6 months	**99.7%**	**97.1%**
Less than 1% of our data protection complaints caseload will be over 12 months old	**0.1%**	**0.4%**
The Parliamentary and Health Service Ombudsman (PHSO) does not uphold a complaint about us in 100% of cases	**100%**	**98%**
We will investigate and respond to 90% of service complaints within 30 calendar days	**89.1%**	**83.4%**
95% of investigations close within 12 months of starting	**93.5%**	**71.6%**
We will respond to 100% of Information Access Requests within statutory deadlines	**97.6%**	**96%**
We will achieve a customer satisfaction index (CSI) score of 74	**70.2**	**N/A**

Key to RAG ratings

Green: at, or above, target
Amber: within 10% of target
Red: more than 10% away from target (except for measures targeting 'less than 1%')

Green: at, or less than, 1%
Amber: between 1% and 2%
Red: greater than 2%

Objective two: Empower responsible innovation and sustainable economic growth	Up to YE 31 March 2024	Up to YE 31 March 2023
We will resolve 80% of written enquiries within 7 calendar days	**87.9%**	**85.6%**
We will resolve 99% of written enquiries within 30 calendar days	**98.5%**	**97.4%**
We will answer 80% of calls within 60 seconds*	**84%**	**85%**
We will answer 80% of live chats within 60 seconds*	**88%**	**92%**
We will refer or close 80% of personal data breach reports within 30 days	**72.7%**	**68.8%**
Less than 1% personal data breach reports will be over 12 months old	**0%**	**0.4%**
90% of our audit recommendations are accepted in full or in part	**97%**	**99%**
80% of accepted recommendations, in full or in part, are completed or being actioned	**95%**	**96%**
We will respond to 100% of prior consultation submissions within statutory timeframes	**100%**	**100%**

*(*Note: combined business and public advice calls in 2023/24 compared with public advice calls only in 2022/23)*

Objective three: Promote openness and transparency	Up to YE 31 March 2024	Up to YE 31 March 2023
We will reach a decision and respond to 90% of FOI concerns within six months	**95.5%**	**66.8%**
Less than 1% of our FOI caseload will be over 12 months old	**0.1%**	**6.3%**
66% of FOI tribunal hearings in our favour	**74%**	**73%**
We will publish 100% of our FOI case outcomes	**100%**	**100%**
We will publish all recommendations made in our FOI complaints handling and audit work	**100%** for FOI complaints handling and executive summaries of audit work	**100%** for FOI complaints handling

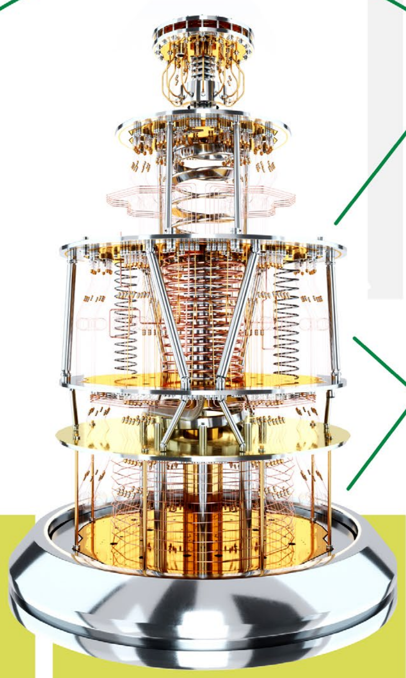
Key to RAG ratings

Green: at, or above, target
Amber: within 10% of target
Red: more than 10% away from target (except for measures targeting 'less than 1%')

Green: at, or less than, 1%
Amber: between 1% and 2%
Red: greater than 2%

Commentary on measures rated as amber is set out below:

- **We will investigate and respond to 90% of service complaints within 30 calendar days.** While our overall performance in 2023/24 fell just short of our target at 89.1%, this represents an improvement from 83.4% in 2022/23. We performed above target in the final half of the year (91.2% in Q3 and 90.9% in Q4).
- **95% of investigations close within 12 months of starting.** Again, while overall performance for the year fell short of our target at 93.5%, this represents a significant improvement on our performance of 71.6% in 2022/23. We achieved above-target performance in the final half of the year (97.6% in both Q3 and Q4).
- **We will respond to 100% of information access requests within statutory deadlines.** The ICO has set an ambitious target of 100% against this measure and achieved its best performance to date in 2023/24 with 97.6% for the year, peaking at 98.4% in Q4. We continue to engage with teams across the office to improve processes and promote awareness and understanding of how we handle information access requests in order to reduce late cases and increase efficiency in our request handling.
- **We will achieve a customer satisfaction index (CSI) score of 74.** Our overall ambition is to achieve a score of 74 over the lifespan of ICO25. Our most recent corporate customer satisfaction index (CSI) score of 70.2 was reported in 2023/24, an improvement of 0.8 since our first customer survey. While our improvement sits positively against a backdrop of other organisations seeing an overall reduction in satisfaction of 2 points, we recognise that, in a tough economic climate, to increase satisfaction levels further we will need to deliver a customer service, digital and cultural transformation programme in line with our ICO25 ambitions. Our assessment is therefore amber on this basis.
- **We will resolve 99% of written enquiries within 30 calendar days.** Our ambitious target of 99% was achieved in Q4 (99.3%) though our overall performance fell just shy of target across the whole year at 98.5%. Nonetheless this represents an improvement from 97.4% in 2022/23.
- **We will refer or close 80% of personal data breach reports within 30 days.** Overall performance against this measure has improved from 68.8% in 2022/23 to 72.7% in 2023/24. Nonetheless, performance has declined throughout the year, as intake and active cases continue to make it difficult to meet our target. We are considering a range of process change options to improve and sustain overall performance in the longer term, though expect that performance against this measure will continue to be difficult in 2024/25.



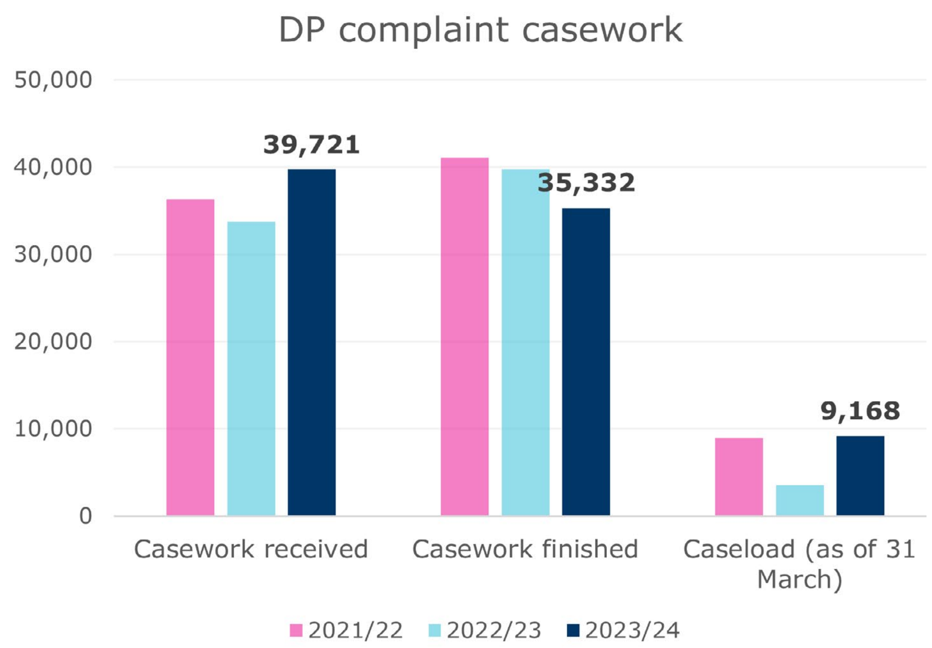
Data protection complaints

We received 39,721 data protection complaints in 2023/24 compared to 33,753 in 2022/23. Broadly speaking, the range of complaints and sectors they relate to has remained comparable to previous years. Article 15 complaints, which are about the right of access, account for most of our data protection complaints work at 38.74%. We issued 35,332 outcome decisions offering advice and recommendations to improve information handling (2022/23: 39,724).

In some of the cases, we didn't think there had been an infringement of the law, or the complainant had come to us too early.

We are seeing a higher demand for our services, so our caseload at year-end has increased to 9,168 complaints (2022/23: 3,558). We are therefore exploring ways of maximising our efficiency by focusing on complaints where there seems to be clear harm, and on interventions where we can make the most impact.

The following graph and table shows the number of data protection cases that were reported to us during each year, the number of data protection cases that we finished each year (which will include some reported during that year and some reported in previous years), and how many live cases had not been completed at year-end (which will usually be cases reported to us during that year, but may include a few reported in previous years).

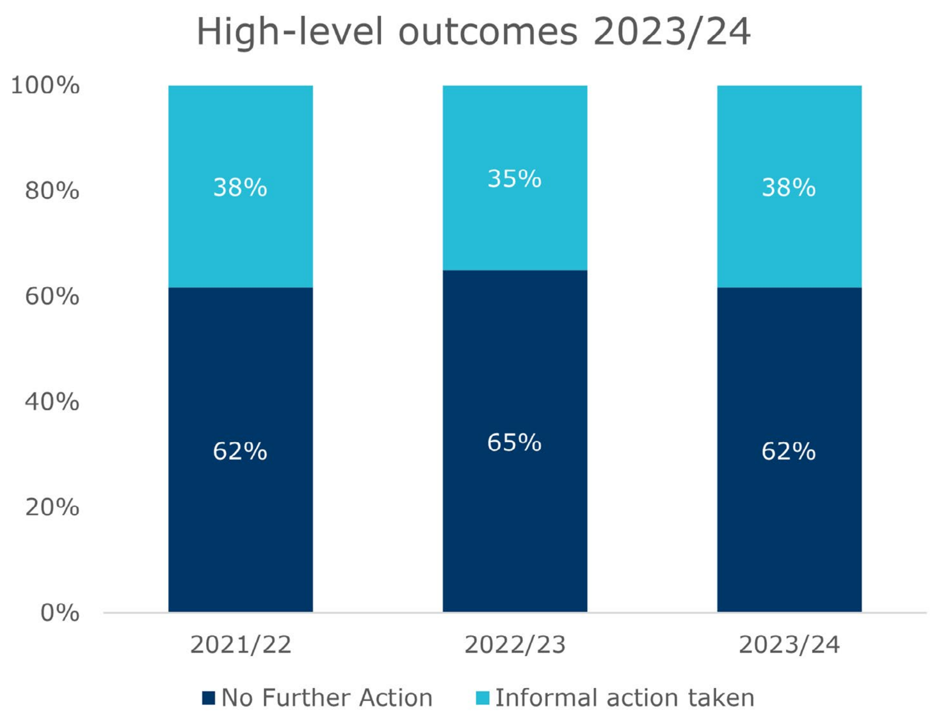


	2021/22	2022/23	2023/24
DP complaint cases received	36,343	33,753	**39,721**
DP complaint cases finished	41,088	39,724	**35,332**
Caseload	8,948	3,558	**9,168**

Note: In our casework system, cases can move between caseload classifications. Therefore, the figure calculated by taking the caseload as at 31 March 2023, adding cases received during 2023/24 and subtracting cases closed during 2023/24, does not necessarily add up to the caseload as at 31 March 2024.

High level outcomes

The following graph and table shows the outcome for the cases that were finished during the year. So for the 2023/24 column, of the 35,322 cases completed during 2023/24 (as above), 62% led to advice being given and 38% led to informal action.



	2021/22	2022/23	2023/24
Advice given, no further action	36,343	33,753	**39,721**
Informal action taken	41,088	39,724	**35,332**
Other	0%	0%	0%

Freedom of information complaints

This has been a record year for FOI complaints received, with 8,080 complaints compared to 5,479 in 2022/23. This is the largest year-on-year increase since the Act was implemented in 2005. It is also the largest increase between the two highest-volume years at any point in the last two decades, with this year's total 26% above the previous high of 6,418 received in 2018/19.

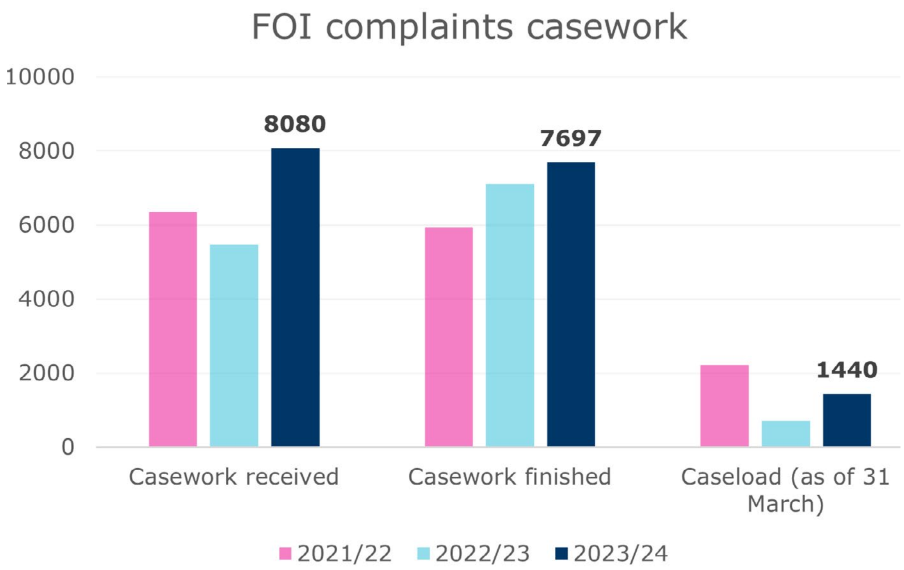
Historical data shows we have seen a more than 20% increase in new complaints every five years since the Act was implemented.

This year's increase puts us 21% ahead of 2019/20, suggesting that this year's volume may just be a 'new normal' rather than a one-off spike.

For the second year running, we closed a record high of 7,697 cases (2022/23: 7,103) partly because we continued with our most successful pilot approaches to tackling the Covid-related case backlog. We also implemented our new approach to prioritising cases, which saw 250 priority cases closed in an average of 10 weeks.

These changes have delivered improved performance, with productivity up 10% on even last year's record. The number of statutory decision notices (2,227 issued) is up more than 50% on previous years (excluding last year's backlog recovery, which was supported by a temporary uplift in staffing).

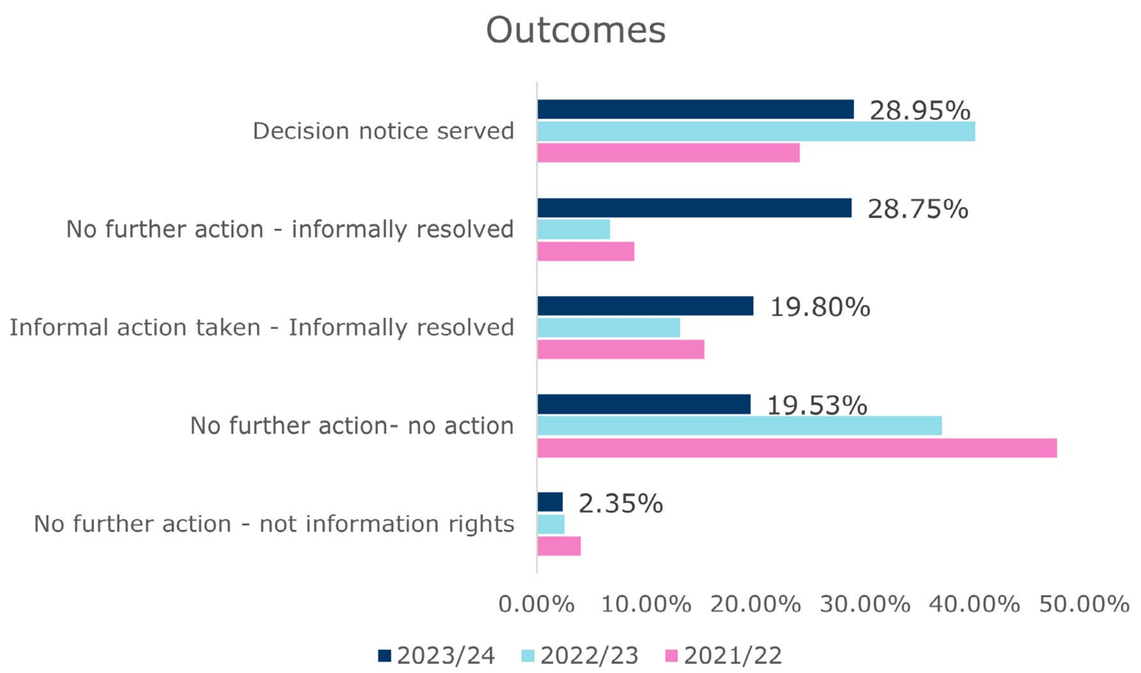
At the end of 2023/24 our caseload was 1,440. This is significantly higher than the 703 cases last year, but only slightly above the pre-Covid year-end average of around 1,250 cases in the years immediately before the pandemic. Part of the increased caseload was due to a change implemented at the start of 2023/24 to include cases where we are awaiting further information to proceed.



	2021/22	2022/23	2023/24
FOI complaint cases received	6,361	5,479	**8,080**
FOI complaint cases finished	5,932	7,103	**7,697**
Caseload	2,227	703	**1,440**

Note: In our casework system, cases can move between caseload classifications. Therefore, the figure calculated by taking the caseload as at 31 March 2023, adding cases received during 2023/24 and subtracting cases closed during 2023/24, does not necessarily add up to the caseload as at 31 March 2024.

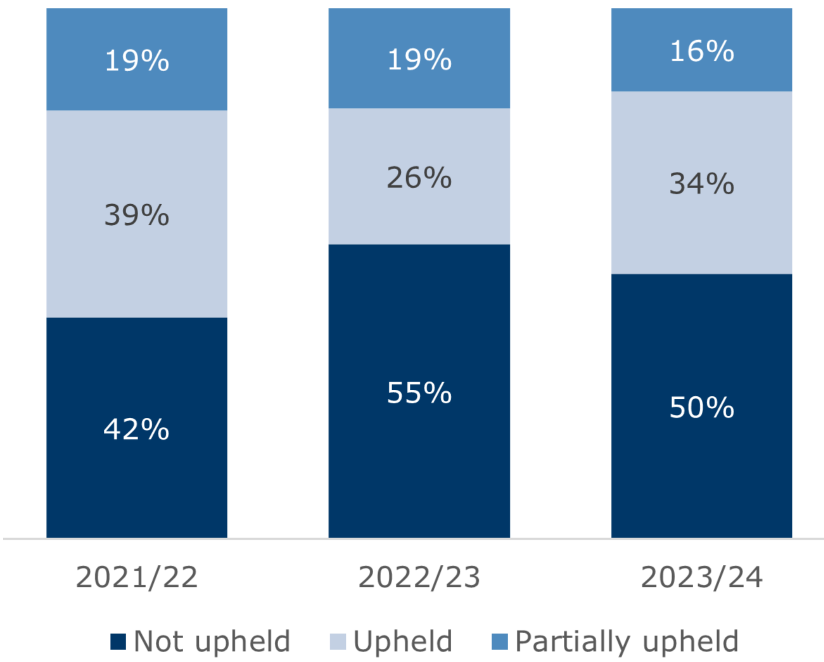
We have improved our service, closing 96% of cases within six months (64% in 2022/23) and against a new higher target of 90%. We have cleared the remaining Cabinet Office backlog cases, with 0.07% of our caseload over one year old at the end of 2023/24, down from 6.26% in 2022/23. There is one case currently over 12 months old because an information notice on a backlog case is being appealed to the Tribunal and we await the outcome. Only 25 cases were over six months old at year-end.



	2021/22	2022/23	2023/24
Decision notice served	24.00%	40.00%	28.95%
No further action – informally resolved	8.90%	6.70%	28.75%
Informal action taken – informally resolved	15.30%	13.10%	19.80%
No further action – no action	47.50%	37.00%	19.53%
No further action – not information rights	4.00%	2.50%	2.35%

The totals in the chart above do not sum to 100% due to rounding.

Outcome of a complaint where a decision notice is served



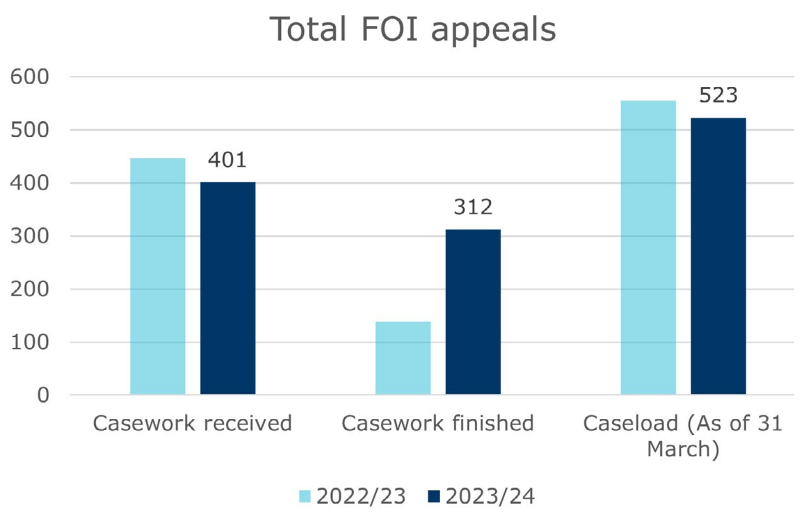
	2021/22	2022/23	2023/24
Total served	1,409	2,822	2,227
Upheld	551	726	767
Not upheld	588	1,566	1,113
Partially upheld	270	530	347

Strategic FOI regulation

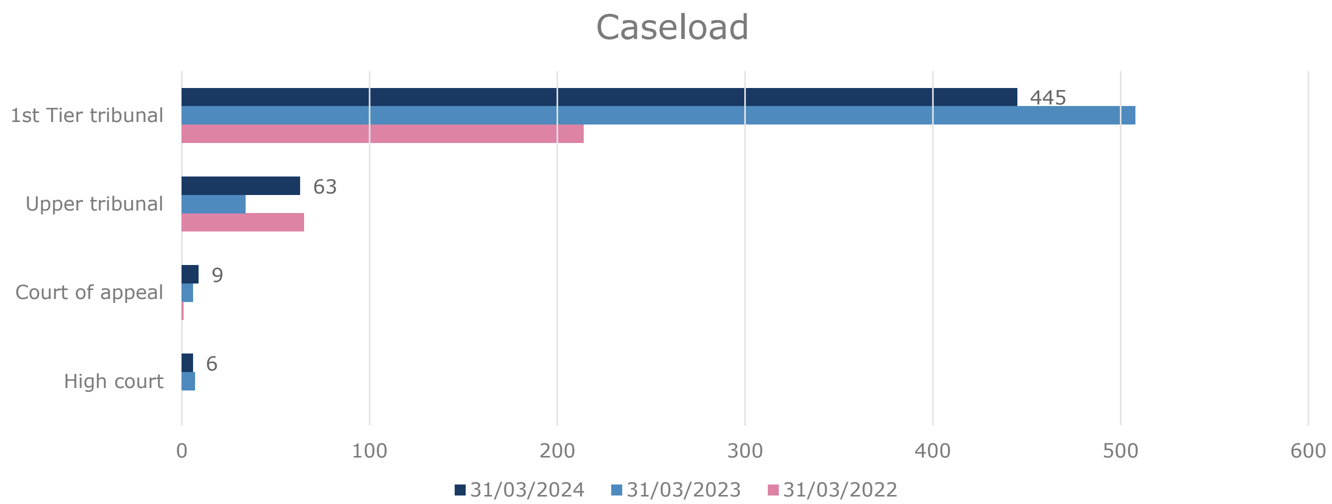
Despite the operational pressures we have faced, we have never delivered more strategic FOI regulation than this year. In line with our regulatory manual, we issued eight Enforcement Notices (2022/23: two) and just three between 2005 and 2022, requiring bodies across central government and its agencies, local government and the police to clear unacceptably high levels of FOI backlogs to ensure thousands of people received answers to requests they had been awaiting far too long. We also issued practice recommendations in several sectors in line with the Commissioner's duties to promote good practice under FOIA. This work points struggling public authorities towards tools they can use to improve their performance before stronger regulatory action, such as enforcement notices, become necessary.

FOI appeals

Each recipient of a decision notice has the right to appeal the decision to the First-tier Tribunal. Some cases progress to the Upper Tribunal and beyond. This year saw a significant number of appeals to the First-tier Tribunal (345), probably because of the increase in FOI cases received and the number of decision notices the Commissioner has issued. The proportion of decision notices appealed remains comparable to last year (15%). Of all First-tier cases closed in 2023/24, we successfully defended 76%.

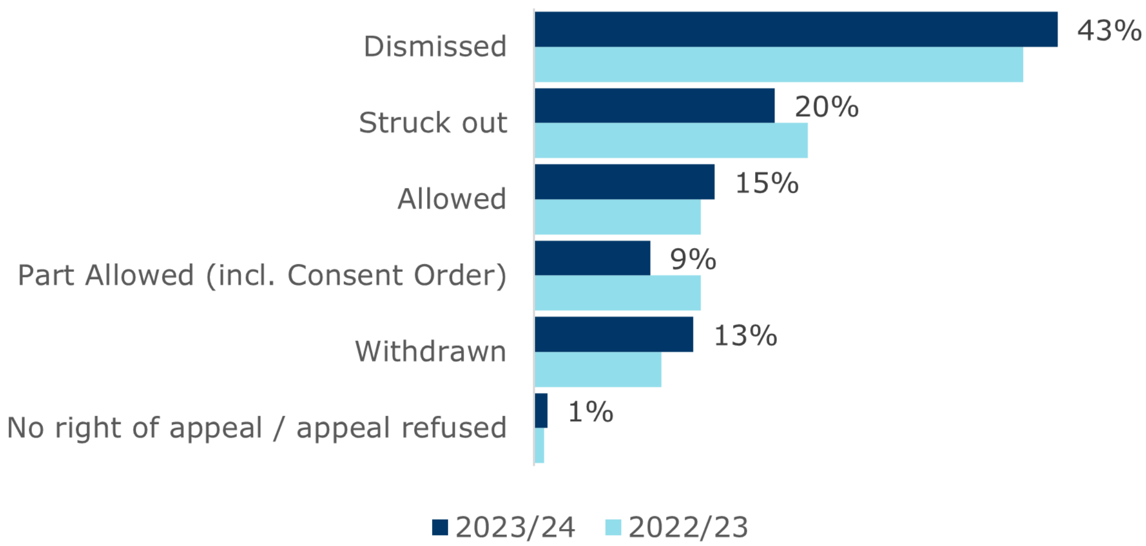


	2022/23	2023/24
Appeals	447	401
Finished	139	312
Caseload	555	523



	31 March 2022	31 March 2023	31 March 2024
First-tier Tribunal	214	508	445
Upper Tribunal	65	34	63
Court of appeal	1	6	9
High Court	0	7	6

Outcomes of First Tier Tribunal appeals



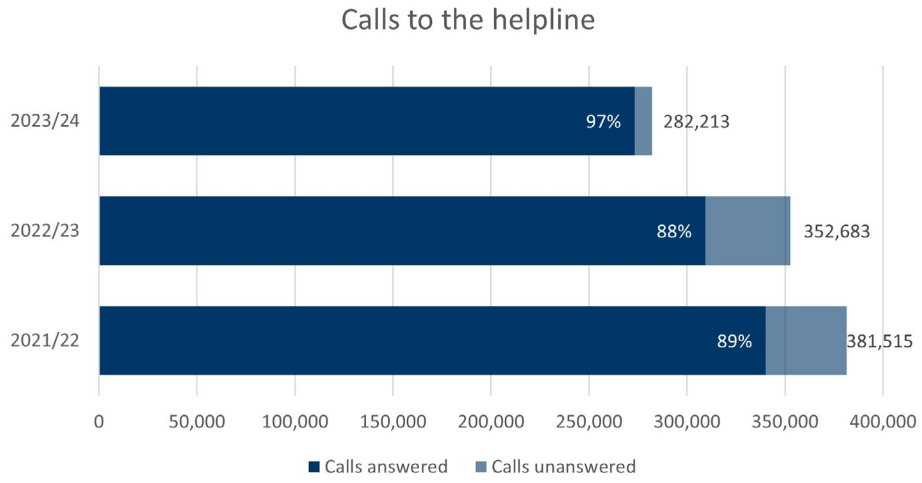
Outcomes of First-tier Tribunal appeals – number	31 March 2023	31 March 2024
Dismissed	50	122
Struck out	28	56
Allowed	17	42
Withdrawn	13	37
Part allowed (incl. consent order)	17	27
No right of appeal / appeal refused	1	3

Advice services

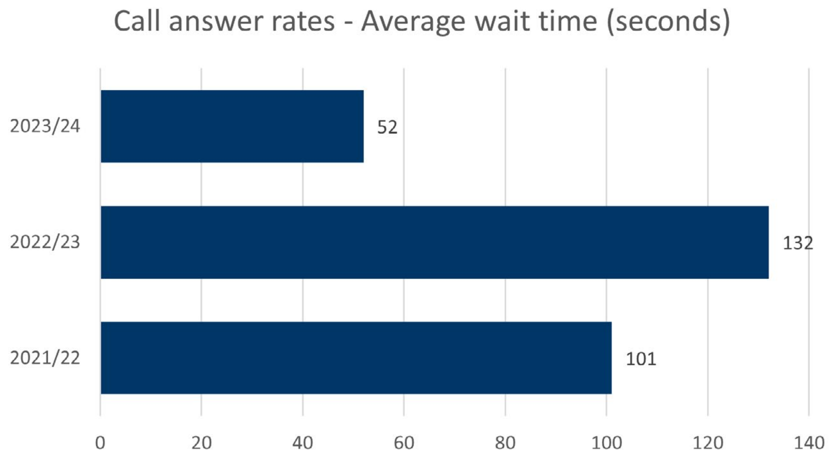
We have continued to provide quality help, support and guidance to customers, including members of the public and representatives of organisations. Although we have seen a slight reduction in overall volumes since 2022/23, there is still a high demand for all our advice channels.

Our telephone helplines remain a popular channel for our customers asking about information rights queries. We answered 273,338 telephone calls (97% response rate) (2022/23: 39,417 telephone calls answered and 88% response rate), with an average customer wait time across all lines of 52 seconds (2022/23: 132 seconds).

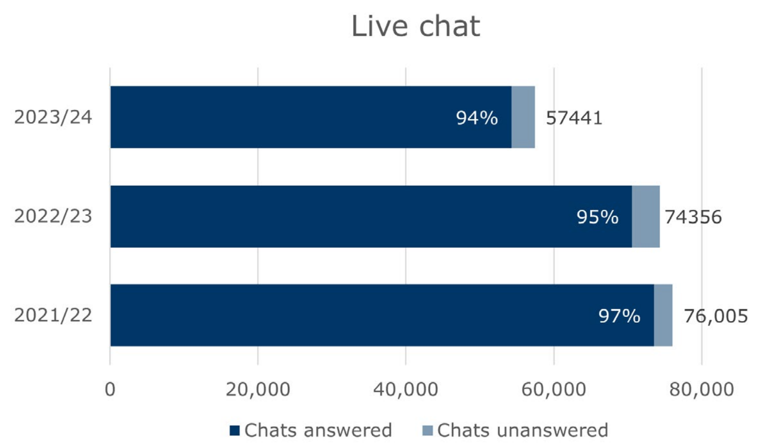
Across our live chat channels we answered 54,256 chats (2022/23: 70,567), a response rate of 94% (2022/23: 95%) with an average wait time of 59 seconds (2022/23: 50 seconds). Requests for written advice from our customers has remained steady: we have responded to 9,614 emails (2022/23: 9,247).



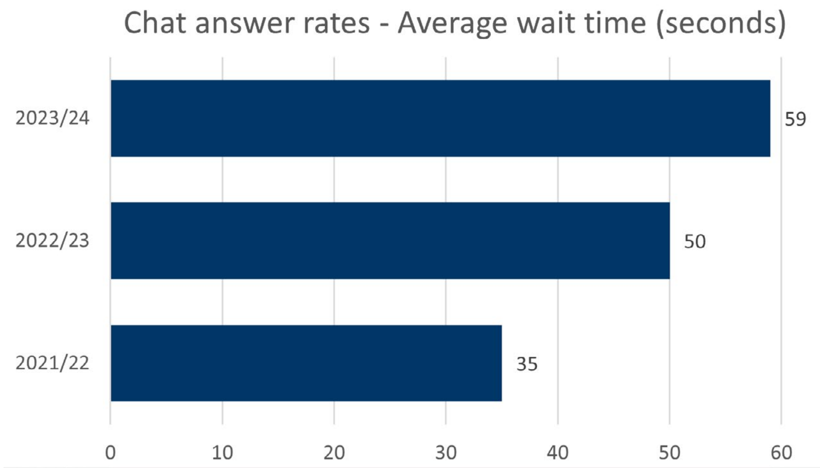
Calls to helpline	2021/22	2022/23	2023/24
Total calls received	381,515	352,683	282,213
Calls answered	340,205	309,417	273,338
Calls unanswered	41,310	43,266	8,875



Call answer rates	2021/22	2022/23	2023/24
Average wait time (seconds)	35	50	59
Average wait time (minutes)	1m 41s	2m 12s	0m 52s

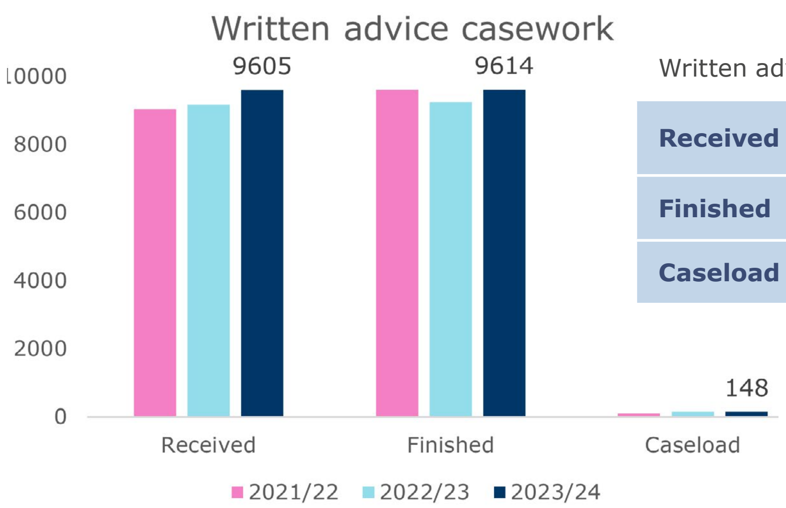


Live chat	2021/22	2022/23	2023/24
Chats requested	76,005	74,356	57,441
Chats answered	73,518	70,567	54,256
Chats unanswered	2,487	3,789	3,185
Percentage answered	97%	95%	94%



Average wait time (seconds)

2021/22	35
2022/23	50
2023/24	59

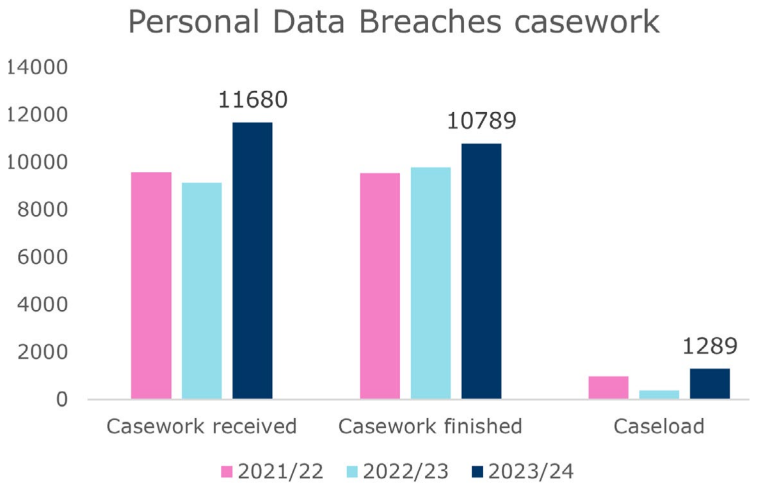


Written advice	2021/22	2022/23	2023/24
Received	9,038	9,173	9,605
Finished	9,617	9,247	9,614
Caseload	100	147	148

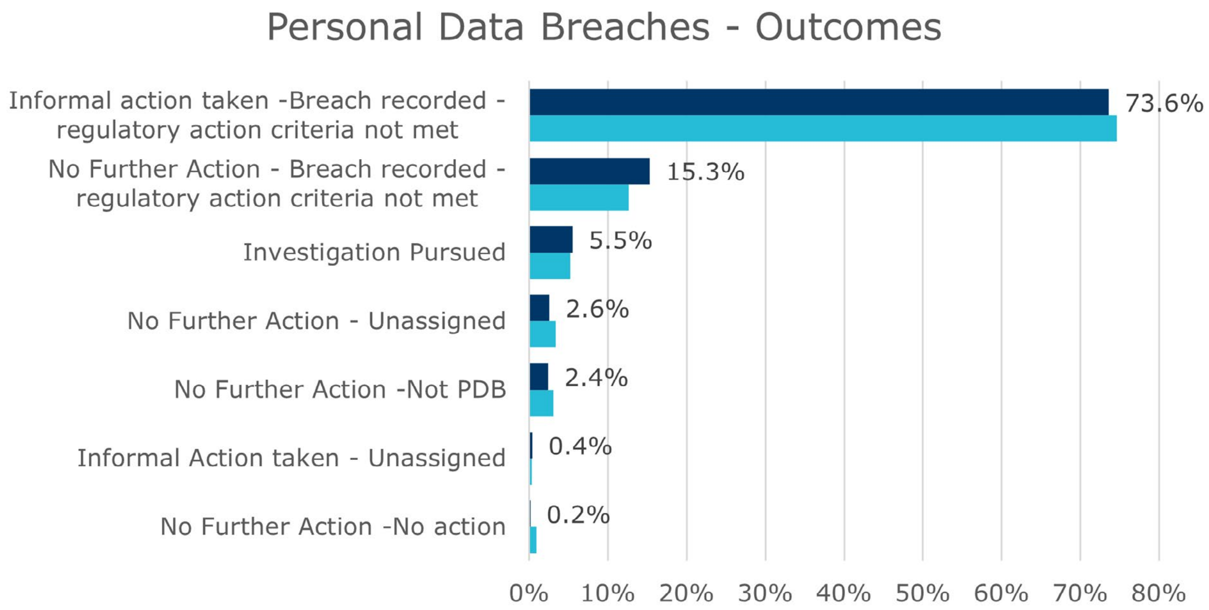
Personal data breach reports

Our personal data breach work increased this year, with 11,680 cases reported (2022/23: 9,146), an increase of 28%. Although we completed a thousand more cases this year at 10,789 (2022/23: 9,789), the increase in receipts led to a higher caseload at year-end. The highest reporting sectors remained health, education and childcare.

Over 20% of all reported breaches relate to emailing, posting or faxing personal data to the wrong person.
In most cases, we took informal action. This included giving advice to organisations to help them with the current incident, to avoid repeat occurrences and to learn from breaches experienced by similar organisations.



Personal Data Breaches	2021/22	2022/23	2023/24
Received	9,571	9,146	11,680
Finished	9,539	9,789	10,789
Caseload	977	374	1,289



Personal data breaches – outcomes	2022/2023	2023/2024
Informal action – breach recorded, regulatory action criteria not met	74.6%	73.6%
No further action – breach recorded, regulatory action criteria not met	12.6%	15.3%
Investigation pursued	5.2%	5.5%
No further action – unassigned	3.4%	2.6%
No further action – not personal data breach (PDB)	3.1%	2.4%
Informal action taken – unassigned	0.3%	0.4%
No further action – no action	0.9%	0.2%

Investigations

Civil investigations and high priority inquiries

We have concluded 285 investigation cases (2022/23: 306 investigation cases) and 80 incidents this year (2022/23: 89 incidents) and delivered reprimand outcomes on 31 cases (2022/23: 44 reprimand outcomes). The reprimand outcomes cover a diverse range of sectors and compliance concerns including disclosures in error, inaccurate data and data subjects' rights. We have acted to identify opportunities to improve compliance, protect individuals and make recommendations as to the steps organisations can take to reduce the likelihood of future non-compliance.

We issued ten enforcement notices (2022/23: one), including taking regulatory action on employment monitoring and biometric data collection. We also issued three penalty notices totalling £13,057,500 (2022/23: two penalty notices totalling £7,631,200). These are included as Civil Monetary Penalties issued within Note 5b to the Financial Statements.

Privacy and digital marketing investigations

We have issued 26 monetary penalty notices totalling £2,590,000 and 26 enforcement notices. These are also included as Civil Monetary Penalties issued within Note 5b to the Financial Statements. We focused on organisations undertaking predatory marketing communications targeting people who were, or may be, at most risk of harm or potentially likely to respond to high-pressure marketing practices. In line with ICO25, we targeted our resources towards enforcement action where people were at most risk of harm for 'green energy' schemes; subscriptions and warranties; debt management and personal loans; and claims management, including personal contract purchase (PCP) and payment protection insurance (PPI) 'tax refunds'.

Criminal investigations

We focused on cases where significant harm has been caused to UK businesses and individuals by criminal actions. We delivered five prosecutions and five cautions in the year. These were all for 'unlawful obtaining' offences under the Data Protection Acts.

In June, a former tracing agent pleaded guilty and was fined for illegally obtaining personal information to check if customers of a high-street bank could repay their debts. The guilty plea met the threshold for proceedings under the Proceeds of Crime Act (POCA), which aims to obtain any assets that the court believes is the product of, or attained from, the proceeds of crime. The court ruled that £38,000 should be repaid under a POCA confiscation order after benefiting from the criminal conduct. The defendant was also fined £10,560 with court costs totalling £15,000. The confiscation order was later fully satisfied.

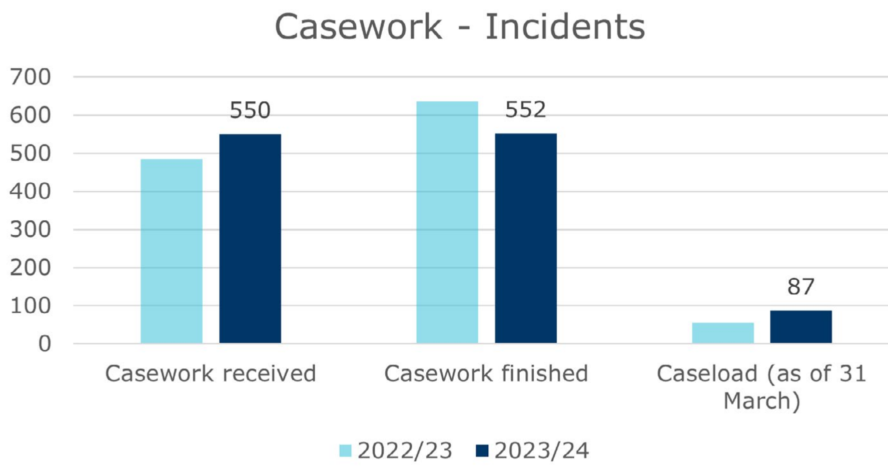
In September, a former family intervention officer at a local council was sentenced for unlawfully accessing social services records. An internal council audit found that the defendant unlawfully looked at the records of 145 people while employed in the social services department. The defendant pleaded guilty to one offence of unlawfully obtaining personal data, in breach of s170(1) of the Data Protection Act 2018. They were fined £92, ordered to pay court costs of £385 and had to pay a victim surcharge of £32.

Financial recovery

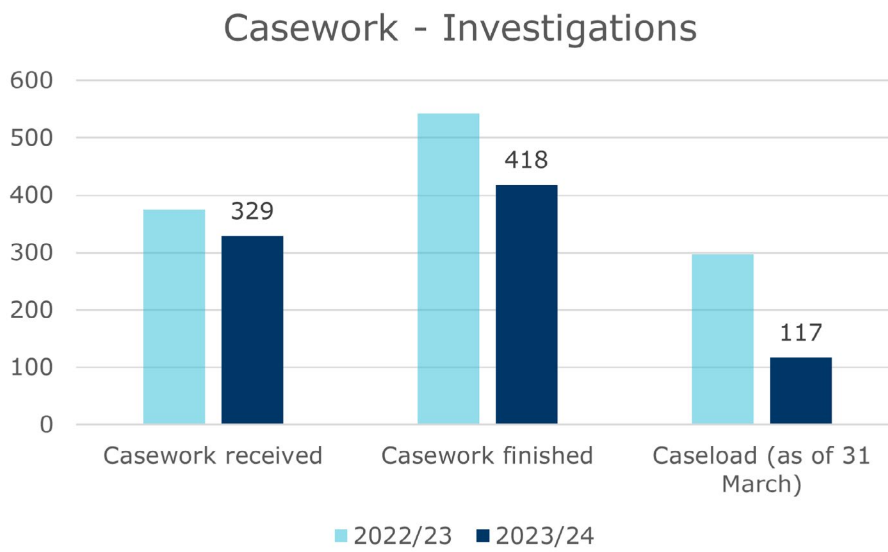
We continued to support businesses which are required to pay monetary penalties and fines via payment plans. Enforcing the payment of fines and collaboration with other agencies helped protect the public against further predatory marketing by rogue directors. Four companies were wound up as a result of ICO petitions, three directors were disqualified for a total of 21 years, and we removed and replaced liquidators in two cases. A number of financial investigations under the POCA progressed, and we exercised our new powers on a range of cases.

Cyber investigations

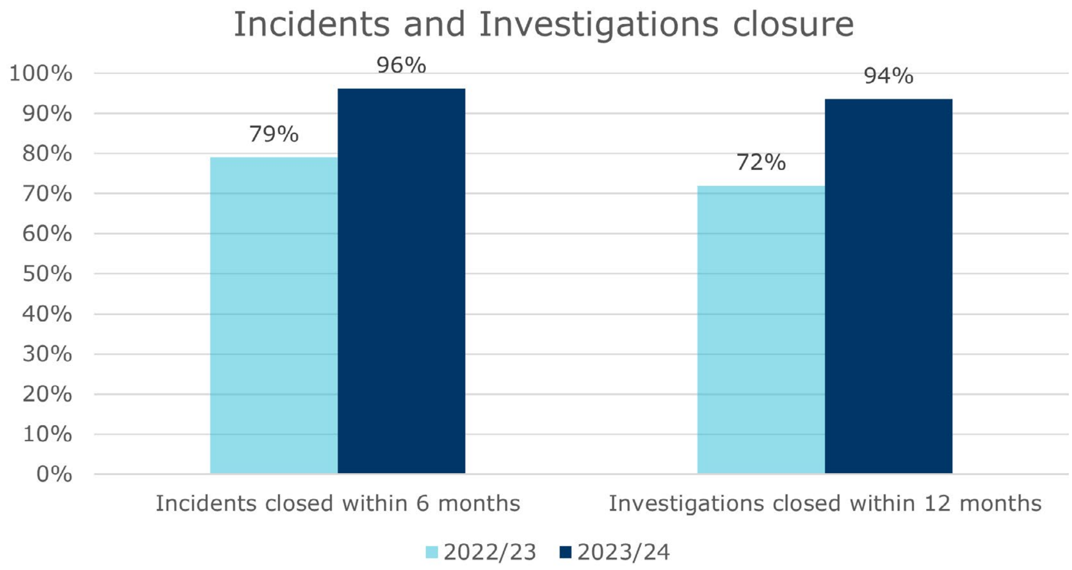
We have closed 62 investigations this year (2022/23: 79). This has reduced our active cyber caseload by 48% since the financial year started (2022/23: 59% reduction). This includes closing 161 lower-level incidents (2022/23: 337) and triaging 2,851 reports (2022/23: 1,745) to see if the investigation threshold was met. At year-end, we had reduced our active caseload of concluded investigations within 365 days from 20.7% to 0% (2022/23: 15% reduction in active caseload). In the 2023/24 financial year, we have given eight reprimands (2022/23: seven), some of which are now published on the ICO's website.



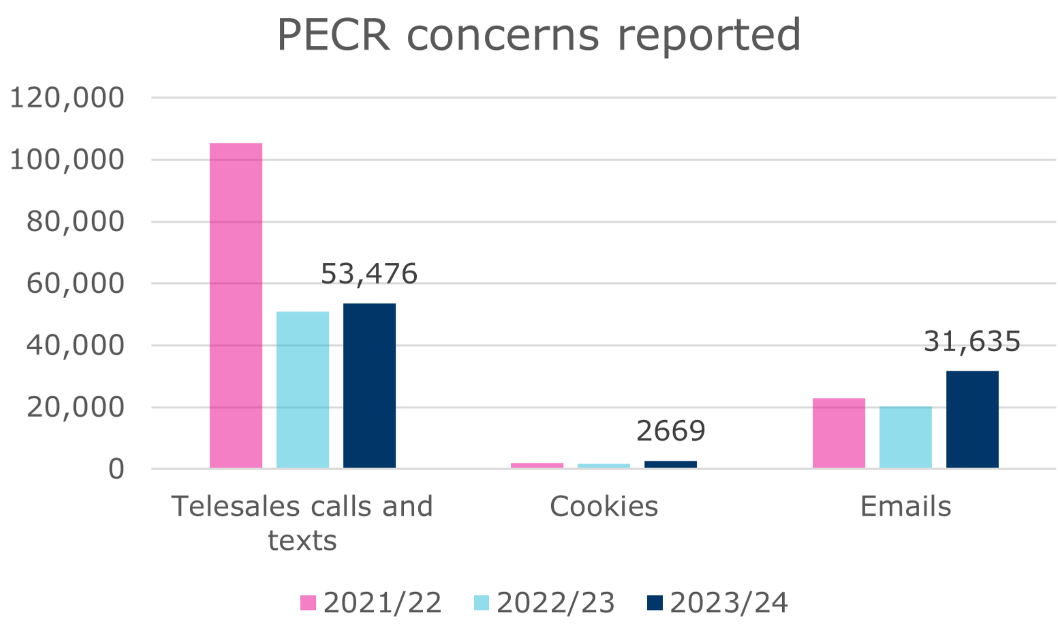
Incidents	2022/23	2023/24
Casework received	485	550
Casework completed	637	552
Caseload	56	87



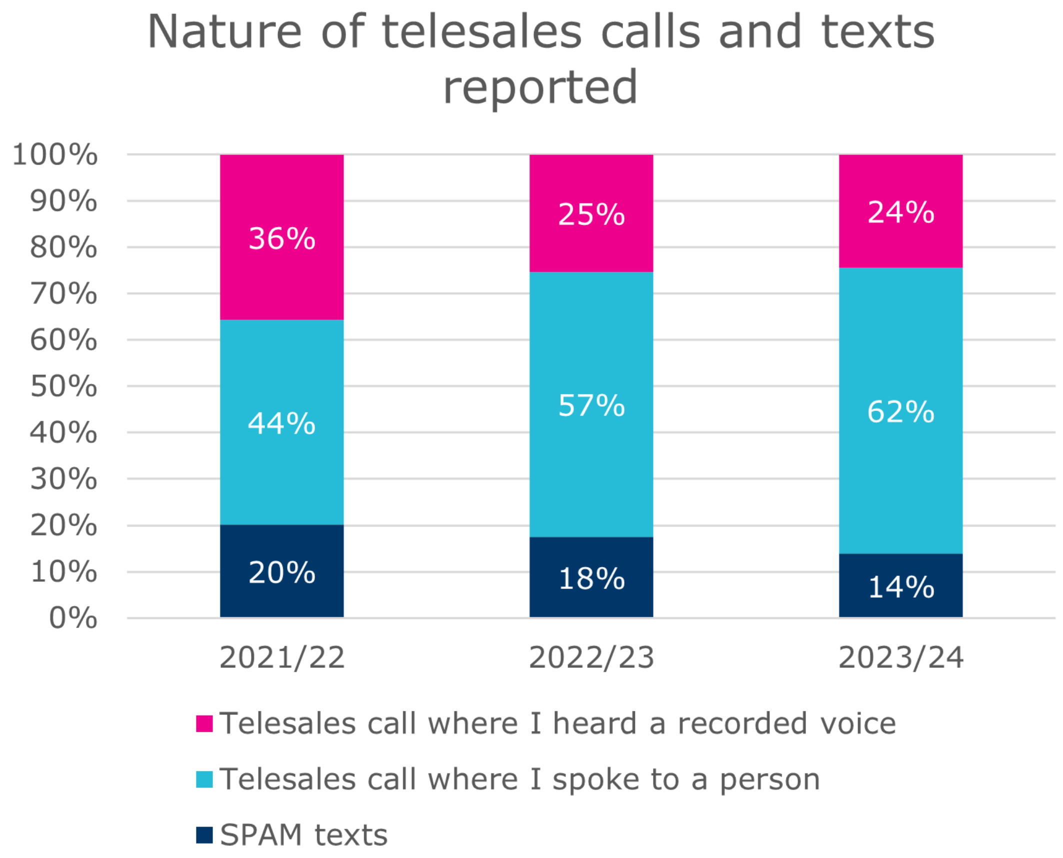
Investigations	2022/23	2023/24
Casework received	375	329
Casework completed	542	418
Caseload	297	117



Closure rates	2022/23	2023/24
Incidents closed within 6 months	79%	96%
Investigations closed within 12 months	72%	94%



PECR concerns reported	2021/22	2022/23	2023/24
Telesales calls and texts	105,438	50,954	53,476
Cookies	1,986	1,753	2,669
Emails	22,890	20,331	31,635



Nature of telesales and spam texts reported	2021/22	2022/23	2023/24
Telesales calls where I heard a recorded voice	37,653	12,888	13,015
Telesales calls where I spoke to a person	46,528	29,131	33,056
Spam texts	21,257	8,935*	7,405*

*the number of spam text reports has reduced as the main route for consumer complaints is now via the mobile phone networks' own spam reporting system.

Regulatory assurance audits

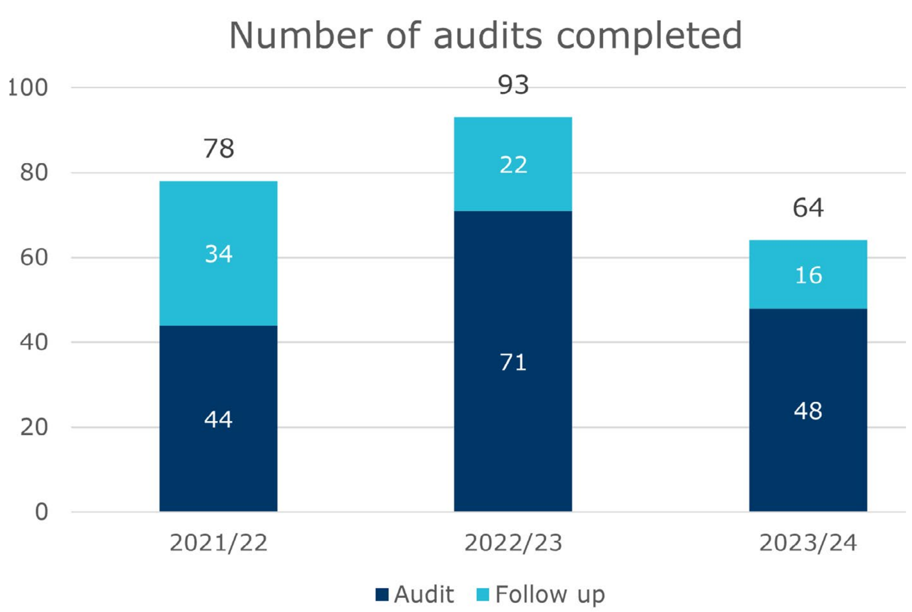
Our audit programme is aligned with the objectives of ICO25, and in 2023/24 it also focused on exploring different sectors and new technologies. In 2023/24, we completed a total of 64 audits and follow-up audits across a range of sectors (2022/23: 93 audits).

We published the executive summaries of these audits on our website. The programme included a series of audits with organisations in the financial sector; a series of audits looking at the use of AI in the recruitment sector; and two audit programmes with police services, looking at their use of mobile phone extraction technology and their management of FOI requests.

During our audit work, 93% of our recommendations were accepted or partially accepted by the organisations being audited (2022/23: 99%). At the follow-up stage, we found that audited organisations had actioned or partially actioned 97% of our recommendations (2022/23: 96%).

In addition to our data protection and FOI audits, we have continued to develop our assurance function regarding the Network and Information Systems Regulations 2018 (NIS). We published several outcome reports to outline the trends and themes we had identified during our previous year's audit work. These included an overview of our audit work with police services, the outcomes from our audits conducted with Telecoms Operators under the Investigatory Powers Act, and outcomes from our audits with NHS Scotland Health Boards. An overarching report entitled 'A Year in Focus' summarised the work in the previous year: the trends and themes we had identified and its impact on organisations.

Audits completed	2021/22	2022/23	2023/24
Audit	44	71	48
Follow-up	34	22	16
Total	78	93	64

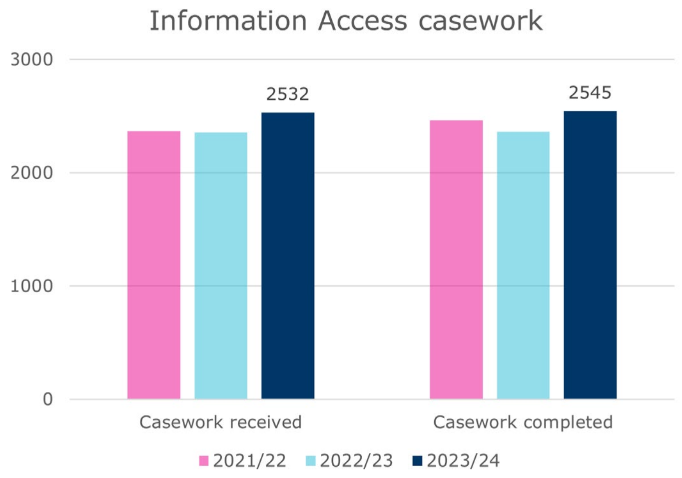


	Q1	Q2	Q3	Q4	Total
2023/24	98%	92%	100%	100%	97%
2022/23	100%	98%	98%	100%	99%
2021/22	99%	99%	98%	99%	99%
2020/21	91%	98%	95%	93%	94%

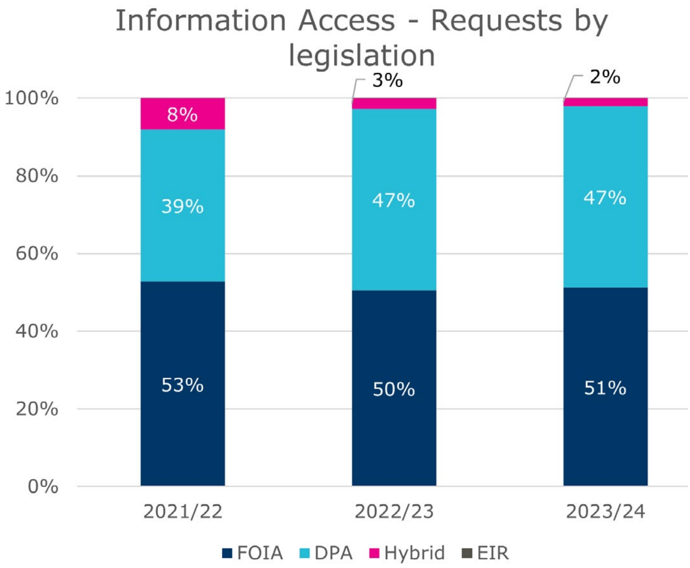
	Q1	Q2	Q3	Q4	Total
2023/24	98%	85%	94%	100%	95%
2022/23	100%	95%	98%	93%	96%
2021/22	80%	97%	90%	97%	92%
2020/21	87%	84%	66%	78%	78%

Requests for our information

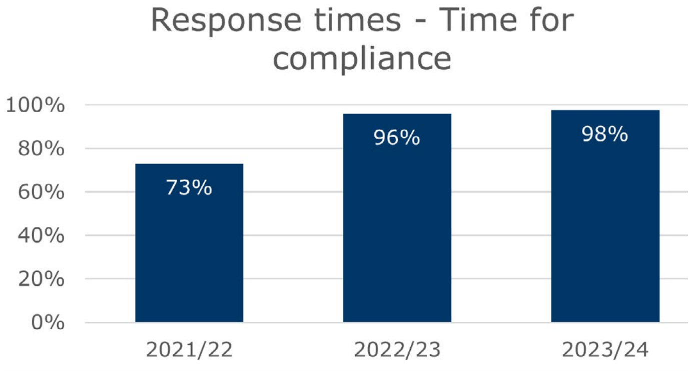
In 2023/24, we continued to focus on ensuring that we responded to information requests as quickly and accurately as possible.
We issued 2,545 responses under information rights legislation, and completed 98% within statutory deadlines (2022/23: 2,362 responses, 96%).
We continue to review and develop our processes to ensure we maintain and improve our performance.



	2021/22	2022/23	2023/24
Requests received	2,367	2,355	2,532
Requests completed	2,463	2,362	2,545

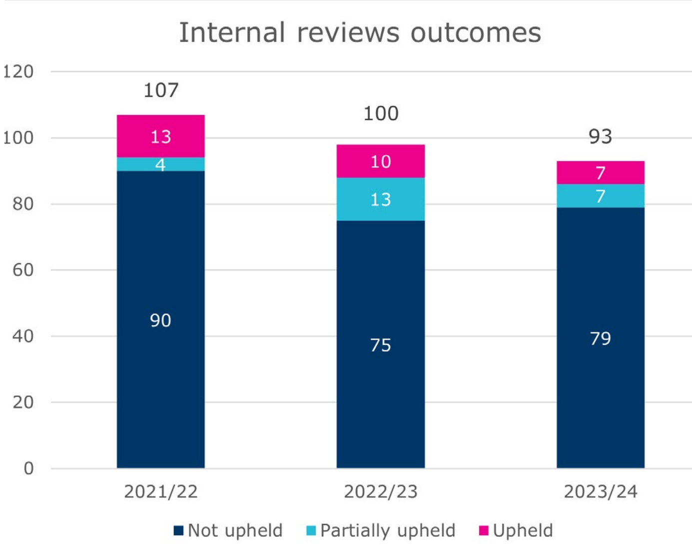


Requests by legislation	2021/22	2022/23	2023/24
FOIA	1,248	1,193	1,297
DPA	928	1,104	1,182
Hybrid	190	64	52
EIR	1	1	1

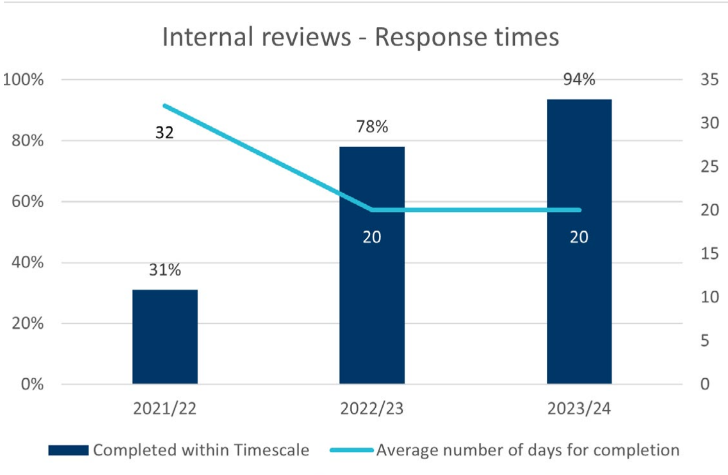


Time for compliance

2021/22	73%
2022/23	96%
2023/24	98%



Internal reviews – reviews completed	2021/22	2022/23	2023/24
Upheld	13	10	7
Partly upheld	4	13	7
Not upheld	90	75	79



Internal reviews – response times	2021/22	2022/23	2023/24
Completed in 20 days	31%	78%	94%
Average days	32	20	20

Financial performance summary

Financial overview

Our expenditure for the year totalled £87.3m (2022/23: £75.7m) which includes the notional cost of the Information Commissioner as included in the financial statements. The majority of the increase in expenditure from the prior year was in relation to staff costs. This reflects the higher than usual pay remit and one-off cost of living payments as set by central government for 2023/24, as well as some targeted growth mostly within our DDaT and Legal professions to support our regulatory and transformation work.

The ICO’s expenditure in 2023/24 was funded by a mix of income as follows:

- Grant-in-Aid £6.8m (2022/23: £10.3m) was received from DSIT during 2023/24 to fund specific regulatory responsibilities. The funding cover in total granted by DSIT for 2023/24 expenditure was £10.2m. This cash was received across three financial years, with £1.4m being received in advance during 2022/23, and £2.0m being received during 2024/25.
- Data protection fees £66.2m (2022/23: £65.7m) funds the majority of our work, and these increased by 0.7% from prior year.
- Fine income retention £4.0m (2022/23: £1.6m). This is the retention of monetary penalties to fund specific costs in relation to the netting off agreement with HMT.
- Other income £0.3m (2022/23: £0.1m).

Further information on these funding sources is set out in more detail in the sections below. During 2023/24, we supplemented our income by gaining approval from the Treasury to use previous years’ unspent data protection fees in our reserves £6.2m (2022/23: nil). This ensured we could progress with our transformation programme, as well as preparing for the DPDI Bill, while waiting for the outcome of the data protection fee review. DSIT started this review during 2023, and we expect to implement this during 2024/25.

The total comprehensive net expenditure for the year was higher than the prior year: £16.780m in 2023/24, compared to £8.282m in 2022/23. This is mainly due to the use of reserves and increase in staff costs as noted above.

Grant-in-aid

Freedom of information expenditure continued to be funded by grant-in-aid. In addition, our work on Network and Information Systems (NIS), the Investigatory Powers Act (IPA), the Electronic Identification and Trust Services Regulations (eIDAS) and adequacy assessments were funded by grant-in-aid. No grant-in-aid was carried forward in 2023/24 (2022/23: nil).

Fees

Under the DPA 2018, data protection-related work continues to be financed by fees collected from data controllers. Under the Data Protection (Charges and Information) Regulations 2018, people and organisations that process personal data need to pay a data protection fee to the ICO unless they are exempt. We issue a certificate of registration once we receive the fee.

The annual fee structure is:

- £40 for charities or organisations with no more than 10 members of staff or a maximum turnover of £632,000;
- £60 for organisations with no more than 250 members of staff or a maximum turnover of £36m; and
- £2,900 for all other organisations.
- A £5 discount is available for all fees paid by direct debit.

Monetary penalties

The Information Commissioner can impose monetary penalties for serious breaches of the DPA of up to £17.5m, or up to 4% of global turnover of an enterprise, whichever is greater. For breaches of PECR, we can impose penalties of up to £500k. A penalty can be reduced by 20% if paid within 30 days of issue.

The monetary penalties we collect are paid over to the government's consolidated fund, subject to the fine retention agreement set out below. Monetary penalties are subject to a right of appeal to the First-tier Tribunal against the imposition of the penalty or the amount or both. If monetary penalties are appealed, they are not recognised until the appeal process is finalised and the penalty is upheld. The amounts recognised are regularly reviewed and adjusted later if a penalty is varied, cancelled, impaired or written off as irrecoverable. Amounts are written off as irrecoverable only on legal advice. We reduce the value of fines at year-end to reflect our expectation that we will not be able to recover all the money owed. How we calculate this reduction is described in Note 1.5.

The ICO has retained some fine income to fund relevant spending incurred in imposing and recovering monetary penalties in line with the netting-off agreement approved by the Treasury during 2022/23. This continues to ensure that fee-paying organisations do not fund such costs. We pay the monetary penalties we collect to the government's consolidated fund, after netting off the appropriate legal costs.

During 2023/24, we imposed £15.648m in monetary penalties (2022/23: £15.271m). Of the total penalties we have not yet collected £21.560m relates to those under appeal including penalties under the DPA for Clearview AI £7.553m and Tik Tok £12.700m. £0.583m of the remaining penalties (net of provisions) yet to be collected have agreed payment plans, so they are being paid in instalments.

At the year-end, the monetary penalties still to be collected and paid to the consolidated fund amount to £25.912m (2022/23: £16.581m).

The table below summarises movements in the year:

	2022/2023 £m	2023/2024 £m
Monetary penalties due at start of year	21.329	**16.581**
Monetary penalties imposed during financial year	15.271	**15.648**
Discounts due to early settlement	(1.668)	**(0.071)**
Monetary penalties written off or impaired	(11.859)	**(24.890)**
Monetary penalties collected in financial year and paid to the government's consolidated fund within year	(15.000)	**-**
Monetary penalties retained by the ICO for enforcement and litigation	(1.648)	**(3.985)**
Monetary penalties collected in financial year and due to be paid to the government's consolidated fund after the year-end	(0.988)	**(2.261)**
Monetary penalties yet to be collected at year-end	5.437	**1.022**
Monetary penalties at year-end on agreed payment plan	5.437	**0.817**

Fraud and error

There have been no instances of material fraud and error.

Financial instruments

Details of our approach and exposure to financial risk are set out in note 9 to the financial statements.

Sustainability

The scale of the ICO means that how we manage and use our office spaces, our staff members' travel to and from work and while on ICO business, and our purchasing could all considerably affect the environment and the communities in which we live.

This section includes information on climate-related disclosures, consistent with applicable recommendations from the Treasury's Task Force on Climate-related Financial Disclosure.

Sustainable procurement

The Procurement Team make sure the ICO meets the minimum mandatory Government Buying Standards (GBS) when buying goods and services.
As an example, several factors are considered and evaluated when conducting procurement exercises, including commitments to sustainable and responsible business operations. This includes minimising environmental impact, ensuring fair labour practices, and maintaining ethical governance, as well as aligning to Government Property Agency and Cabinet Office Energy Performance Certificate targets. An example of the success of this approach is the fit-out of our new Belfast Office, which we opened in 2023/24. We were shortlisted for the Fit Out of Workplace category in the British Council of Offices awards.

Performance

We have made significant efforts to minimise the ICO's impact on the environment by developing our Environmental Policy and through the actions taken by our Green Group and Facilities team. Our performance on sustainability and the Greening Government Commitment (GGC) targets shows we are on track to meet, or are already meeting or exceeding, each of the targets from a 2017/18 GGC baseline, with the exception of meeting our overall Green House Gas (GHG) emissions target. Some of these reductions were influenced by increased home-working due to the Covid-19 pandemic, which meant less water, waste and paper consumption in our main office buildings. Although we had successfully met this target in 2022/23 by lowering our overall GHG by 8.3%, this year a sharp increase in our GHG emissions has occurred due to the number of long-haul flights our staff have made.

Target:	Result:
Reduce the overall greenhouse gas emissions from baseline.	**We have increased our overall GHG emissions by 69% from the 2017/18 baseline (2022/23 reduction 8.3%)**
Reduce direct emissions from buildings compared to baseline (138 tonnes).	**We reduced our direct emissions from buildings by 44 tonnes (32%) despite considerable growth in our staffing and estate.**
Reduce water consumption by at least 8% from baseline.	**We reduced our water consumption by 93%.**
Reduce the amount of waste generated by 15% from baseline.	**We reduced our waste by 59%.**
Reduce paper use by at least 50% from baseline.	**We reduced our paper use by 91%.**

In 2023/24 the success of our sustainable procurement practices was best shown via our furniture and IT contracts:

- We avoided increased emissions from our waste in our accommodation projects in 2023/24 through our commercial contracts. This meant we have diverted over 15,000kg of old Belfast and Sandfield House furniture from landfill, saving over 12.5 tonnes of CO^2 emissions. Our commercial partner collects any furniture classed as redundant by its customers and sends it back to its Sustain processing plant, irrespective of who originally made the item. Woods, metals, plastics, fabrics and foams are separated, segregated and fully recycled.
- This approach is also replicated in the provision of IT services and equipment. 100% of our laptops and mobile devices are refurbished (98-99%) or recycled (1-2%). This has kept 1,430 kg of waste out of landfill, and saved 72.8 tonnes of CO^2 being emitted through the making and transport of new devices.

To further improve our environmental performance and to deliver against the government's Net Zero Strategy we are in the final stages of developing a Carbon Management Plan that will help shape our direction and set the actions necessary. We expect to complete this during summer 2024.

Greenhouse gas emissions

Please note: the figures in the tables below do not include any emissions or waste from employees working from home.
Figures for CO^2 emissions arising from electricity usage have been revised for previous years from those reported in previous annual reports.

This reflects BEIS grid average emission rates. This 'location based' reporting method reflects that taken when reporting progress against the Greening Government Commitments.

Total tonnes CO^2	2020/21	2021/22	2022/23	2023/24
Scope 1 (gas)	44	37	29	40
Scope 2 (electricity)	105	64	96	54
Scope 3 (travel)	1	15	118*	355
Total emissions	150	116	243	449

*New information has come to light since publication of last year's annual report and we have adjusted our 2022/23 travel emissions accordingly.

Tonnes CO^2 per full-time equivalent staffing	2020/21	2021/22	2022/23	2023/24
Scope 1 (gas)	0.06	0.04	0.03	0.04
Scope 2 (electricity)	0.14	0.07	0.10	0.05
Scope 3 (travel)	0.001	0.02	0.12	0.34
Total	0.20	0.13	0.24	0.43

Waste minimisation and management and finite resource consumption

Total waste, water and paper consumption	2020/21	2021/22	2022/23	2023/24
Waste / tonnes	3	11	17	15
Water consumption / m^3	567	207	413	447
A4 paper / reams	200	140	310	391

Waste, water and paper consumption per full time equivalent staffing	2020/21	2021/22	2022/23	2023/24
Waste / tonnes	0.004	0.01	0.01	0.01
Water consumption / m^3	0.72	0.23	0.40	0.43
A4 paper / reams	0.25	0.15	0.31	0.38

Waste, water and paper expenditure	2020/21	2021/22	2022/23	2023/24
Waste	£6,642	£8,892	£11,646	£11,841
Water	£20,751	£12,666	£13,638	£9,933
A4 paper	£424	£344	£1,387	£1,641

Waste disposal by destination	2020/21	2021/22	2022/23	2023/24
Waste recycled	-	1.57	5.89	3.96
Waste composted	-	0.00	0.00	0.00
Waste incinerated with energy recovery	-	8.73	10.74	11.04
Waste incinerated without energy recovery	-	0.00	0.00	0.00
Waste to landfill	-	0.70	0.00	0.00
Total disposal	3.22*	11.00	16.63	15.00

*Figures for waste disposal by destination not available due to the Covid-19 pandemic.

Details of ICO performance

Total travel

Cars	2020/21	2021/22	2022/23	2023/24
Kms	1,761	9,097	59,911	171,253
Cost £	486	4,132	15,037	25,043
Tonnes CO^2	0.3	2	11	31

Rail	2020/21	2021/22	2022/23	2023/24
Kms	8,190	127,834	394,105	770,085
Cost £	2,612	41,684	125,262	238,978
Tonnes CO^2	0.2	5	15	27

Flights	2020/21	2021/22	2022/23	2023/24
Number	0	71	206	774
Kms (total)	0	84,247	383,731	958,741
Kms (international)	0	73,871	351,764	815,767
Kms (domestic)	0	10,376	31,967	142,974
Cost £	0	12,711	99,533	138,006
Tonnes CO^2	0	9	87	292*

Travel summary	2020/21	2021/22	2022/23	2023/24
Cost £	3,097*	58,526*	213,264	418,073
Tonnes CO^2	0.5	15*	52	355*

*Not a direct sum due to rounding.

Travel per full-time equivalent staffing

Cars	2020/21	2021/22	2022/23	2023/24
Kms	2.37	10.29	59.32	164.26
Cost £	0.65	4.68	14.89	24.02
Tonnes CO^2	0.00	0.00	0.01	0.03

Rail	2020/21	2021/22	2022/23	2023/24
Kms	11.02	144.64	390.20	738.62
Cost £	3.52	47.16	124.02	229.21
Tonnes CO^2	0.00	0.01	0.01	0.03

Flights	2020/21	2021/22	2022/23	2023/24
Number	0	0.08	0.2	0.74
Kms (total)	0	95.32	379.93	919.57
Cost £	0	14.38	98.55	132.37
Tonnes CO^2	0	0.01	0.08	0.28

Travel summary	2020/21	2021/22	2022/23	2023/24
Cost £	4.17	66.22	211.15	400.99
Tonnes CO^2	0.00	0.02	0.05*	0.34

Total utilities

Gas	2020/21	2021/22	2022/23	2023/24
Kwh	244,507	205,653	160,331	223,312
Cost £	8,578	6,902	10,350	11,862*
Tonnes CO^2	44	37	29	40*

Electricity	2020/21	2021/22	2022/23	2023/24
Kwh	413,340	276,409	456,162	581,427
Cost £	78,333	58,041	126,664	194,200
Tonnes CO^2	105	64	96	54*

Utility summary	2020/21	2021/22	2022/23	2023/24
Cost £	86,912*	64,944*	137,015	206,062
Tonnes CO^2	73	69	71	94*

*Not a direct sum due to rounding.

Utilities per full-time equivalent staffing

Gas	2020/21	2021/22	2022/23	2023/24
Kwh	329.10	232.69	158.74	214.19
Cost £	11.54	7.81	10.24	11.38
Tonnes CO^2	0.06	0.04	0.02	0.04

Electricity	2020/21	2021/22	2022/23	2023/24
Kwh	556.31	312.74	451.64	557.67
Cost £	105.43	65.67	125.40	186.27
Tonnes CO^2	0.14	0.07	0.09	0.05

Utility summary	2020/21	2021/22	2022/23	2023/24
Cost £	116.97	73.48	135.65*	197.64
Tonnes CO^2	0.10	0.08	0.07*	0.09

Whistleblowing disclosures

The ICO is a 'prescribed person' under the Public Interest Disclosure Act 1998. This means whistleblowers are protected when disclosing certain information to us.

Receiving information from whistleblowers is an important part of our understanding the views and concerns of the public and allowing us to safeguard and empower people, in line with our ICO25 commitments.

The Prescribed Persons (Reports on Disclosures of Information) Regulations 2017 require prescribed persons to report annually on whistleblowing disclosures made to them.

There were 252 whistleblowing disclosures made to us about external bodies from 1 April 2023 to 31 March 2024. This compares with 225 reported in 2022/23.

We recorded all information provided and used it to develop our overall intelligence picture. We took further action on 44 of these disclosures. Such actions may include referral to appropriate departments in the ICO for further consideration; referral to external organisations (including other regulators and law enforcement); and consideration for use of our enforcement powers.

Further action on the 44 disclosures (2022/23: 14) resulted in 57 referrals to internal ICO departments, and five to external regulators or law enforcement agencies for intelligence purposes.

The outcomes of the internal referrals were:

- 21 disclosures were taken into consideration by the Investigations department.
- 24 disclosures were referred for further consideration to other ICO departments.
- Seven disclosures were considered for non-payment of the data protection fee.
- Five disclosures were referred to external regulators or law enforcement agencies for intelligence purposes only.

After review and assessment, 206 of the 252 disclosures resulted in no further action at that time (2022/23: 208 of 225). At the time of writing, we are assessing the remaining two disclosures from this reporting period for potential action.

After receiving a concern, we decide how to respond in line with our Regulatory Action Policy. In all cases, we look at the information provided by whistleblowers alongside other relevant information we hold. For example, if an organisation reports a breach to us, we may use information from a whistleblower to focus our follow-up enquiries. More broadly, we may use information from whistleblowers to focus our liaison and policy development in a sector, using the information to identify a particular risk or concern.

Going concern

Taking into account the 12-month period from the date of signing these financial statements, they have been prepared on a going concern basis as a non-trading entity continuing to provide statutory public services.

DSIT, as the ICO's sponsoring department, have provided relevant going concern coverage, recognising the uncertainty in data protection fee income due to the delayed fee review.

Grant-in-aid funding provided by DSIT for 2024/25 was captured in the 2021 three-year comprehensive spending review. The ICO has received the indicative Grant-in-Aid budget settlement from DSIT as expected for 2024/25, at £8.1m.

The ICO has budgeted Data Protection fee income of £76.7m for the year 2024/25, an increase of £10.5m from 2023/24 in relation to the anticipated Data Protection fee review being led by DSIT. This fee review is expected to be implemented mid-way through 2024/25 and will generate the required income for the ICO going forward.

The ICO has also budgeted fine income of £0.7m to be used to help offset some specific costs in association with enforcement and litigation activities, aligned to the netting off agreement approved by Treasury.

At the time of writing, the ICO is working to prioritise expenditure in 2024/25 to align to the total funding available.

John Edwards

8 July 2024

Corporate Governance report

Here you can find information about the boards and committees that support the Information Commissioner, how we manage and assess key risks, and the other sources of assurance that we use.

We have had the systems described in this section of the report in place throughout 2023/24 and through to the date of approval of this report, unless otherwise stated.

Directors' report

Composition of the Management Board and details of the Chair and Chief Executive

John Edwards is the Information Commissioner. He is also the Chair of the Management Board and Chief Executive Officer of the ICO. Membership of the ICO's Management Board, along with further information, is detailed in the Governance statement on page 61.

Directorships and other significant interests held by Board members that may conflict with their management responsibilities

A register of interests is maintained for the Information Commissioner and Management Board. It is published on our website. Declarations of interest in any of the items considered at a particular meeting are also asked for at Management Board, Audit and Risk Committee, People Committee and Regulatory Committee meetings.

ICO personal data breach incidents

There have been no personal data breaches during 2023/24 (no personal data breaches in 2022/23) which we needed to report to the ICO (in its capacity as the supervisory authority, in accordance with Article 33 of the GDPR).

Statement of Accounting Officer's responsibilities

Under paragraph 11(1)(b) of Schedule 12 to the DPA 2018, the Secretary of State directed the Information Commissioner (as Accounting Officer) to prepare a statement of accounts for each financial year in the form and on the basis set out in the Accounts Direction. The accounts are prepared on an accruals basis. They must give a true and fair view of the situation of the ICO at the year end and of the income and expenditure, recognised gains and losses and cash flows for the financial year.

In preparing the accounts, the Information Commissioner is required to comply with the requirements of the government Financial Reporting Manual (FReM) and to:

- observe the Accounts Direction issued by the Secretary of State with the approval of the Treasury, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
- make judgements and estimates on a reasonable basis;
- state whether applicable accounting standards as set out in the FReM have been followed, and disclose and explain any material departures in the financial statements; and
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the ICO will continue in operation.

The Principal Accounting Officer of DSIT has designated the Information Commissioner as Accounting Officer for the ICO.

The responsibilities of an Accounting Officer, including responsibility for the propriety and regularity of the public finances and for keeping of proper records and for safeguarding the Information Commissioner's assets, are set out in the Non-Departmental Public Bodies' Accounting Officer Memorandum, issued by the Treasury and published in Managing Public Money.

As Accounting Officer, the Information Commissioner has delegated executive responsibility to the Deputy Chief Executive and Chief Operating Officer for effective financial stewardship as Accountable Officer. This is a contractual responsibility and allows the Information Commissioner to have a separate, and not term-limited, accountable person charged with stewardship and probity for the ICO's use of public money.

The Accounting Officer confirms that the annual report and accounts is fair, balanced and understandable. They confirm that they take personal responsibility for the annual report and accounts and the judgments required for determining that it is fair, balanced and understandable.

Directors' statement

The ICO's leadership team consists of the Information Commissioner, three executive directors and seven non-executive directors. Each of these persons at the time this report was approved has confirmed that:

- so far as they are aware there is no relevant audit information of which the auditor is unaware; and
- they have taken all the steps they ought to have taken in their role to make themselves aware of any relevant audit information and to establish that the auditor is aware of that information.

Governance Statement

The Information Commissioner is a corporation sole as established under the DPA 1998 and as confirmed under the DPA 2018. As required by the UK GDPR, the Information Commissioner and their Office must be completely independent of government.

The Information Commissioner is accountable to Parliament for the exercise of statutory functions and the independence of the ICO is enshrined in legislation.

Relationship with our sponsoring department

The Department for Science, Innovation and Technology (DSIT) was established in February 2023. Sponsorship of the ICO moved to DSIT from the Department for Culture, Media and Sport (DCMS), our previous sponsor department. The previous management agreement with DCMS remains in place, with the functions performed by DCMS under that agreement now being performed by DSIT.

The agreement sets out our shared responsibilities and the commitment to ensuring the independence of the Information Commissioner and the ICO. This agreement is on our website. It also ensures that appropriate reporting arrangements are in place to enable our sponsor department to monitor the expenditure of public money allocated to the ICO.

Management Board

The Information Commissioner, as corporation sole, has responsibility for setting the ICO's strategic direction. The Information Commissioner achieves this through the work of the ICO Management Board, which they chair. The Management Board's terms of reference identify five primary areas of focus for the Board, which cover the ICO's:

- position;
- culture;
- capability;
- reputation; and
- performance.

The Board provides strategic direction to ensure the ICO successfully and sustainably meets its long-term objectives. It operates collectively, holding the Executive team to account for the day-to-day leadership and regulatory outcomes of the ICO.

The Board is based on majority decision-making principles. As the Information Commissioner is a corporation sole, the Commissioner retains the right to override a recommendation of the Management Board and take another course of action. There were no such instances during 2023/24.

The Board comprises of executive and non-executive directors, with non-executive directors outnumbering executive directors. Information about each of the Board members is available on our website.
The Information Commissioner designates a Senior Independent Director from the group of non-executive directors. Nicola Wood holds this role. The Senior Independent Director is responsible for chairing Board meetings in the Commissioner's absence and for representing the views of the non-executive directors.

The Board meets a minimum of four times annually (six meetings took place during 2023/24). It considers risk management (including potential climate-related risks) and operational, financial, organisational and corporate issues. It also receives reports from the Audit and Risk Committee, Regulatory Committee and People Committee. As set out in the sustainability section of the report (page 51), while climate-related risks are significant for the UK economy as a whole, the ICO has limited scope to impact or control these risks within its work. Therefore, the discussion of the Board on climate-related matters has been limited to consideration of such risks. This has been supplemented by reporting to Audit and Risk Committee regarding environment and sustainability (see below).

There were no changes to the membership of the Management Board in 2023/24. Three members of the executive team are also members of the Management Board. All other members of the executive team attend Board meetings. There are no changes planned to the membership of the ICO Management Board in 2024/25.

The table below details attendance of members at the Management Board meetings during the year.

	15 May 2023	10 Jul 2023	18 Sep 2023	20 Nov 2023	22 Jan 2024	25 Mar 2024	20 May 2024
John Edwards	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Paul Arnold	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Ailsa Beaton	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Stephen Bonner	Yes	No	Yes	Yes	No	Yes	Yes
Ranil Boteju	Yes	Yes	No	Yes	Yes	Yes	Yes
David Cooke	Yes	No	Yes	Yes	Yes	Yes	Yes
Emily Keaney	Yes	Yes	No	Yes	Yes	Yes	Yes
Jeannette Lichner	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Jane McCall	No	Yes	Yes	Yes	Yes	Yes	Yes
Tracey Waltho	Yes	Yes	Yes	Yes	Yes	Yes	No
Nicola Wood	Yes	Yes	Yes	Yes	Yes	Yes	Yes

The Management Board considered various issues of substance during the year.
These included:

- the delivery of our ICO25 plan, including the framework for realising value from its delivery;
- regulatory approaches, with a focus on regulating emerging technologies;
- progress with the DPDI Bill and planning for our regulatory role in the upcoming general election;
- delivery of our equality, diversity and inclusion (EDI) objectives;
- providing assurance and challenge of operational performance and our KPIs through our corporate scorecard reporting;
- ownership of our risk register and risk appetite, designed to empower teams to work confidently and make effective choices and decisions;
- updating our approach to public affairs and communications;
- improving our customer service benchmarking results; and
- organisational planning matters, including our enterprise data strategy, accommodation strategy, budgeting and resourcing (particularly around financial scenario planning) and DSIT’s review of the data protection fee model.

Audit and Risk Committee

The Audit and Risk Committee meets at least quarterly (five times during 2023/24). The committee assists the Management Board and executive team by providing independent advice and guidance on the adequacy, effectiveness and potential improvements to the ICO's management of:

- governance structure;
- risk management;
- internal control framework;
- environment and sustainability;
- internal audit activity, oversight of external auditors and other providers of assurance; and
- finance statements and public accountability reporting.

The Audit and Risk Committee receives a quarterly report on incidents of fraud, security breaches and whistleblowing incidents as assurance that the reporting mechanisms are in place and effective. External auditors and internal auditors attend the Audit and Risk Committee meetings and have pre-meetings with committee members before each meeting.

The committee has three non-executive members. It is chaired by Ailsa Beaton. Ranil Boteju was a member until October 2023, when David Cooke joined the committee. Jayne Scott is the independent member of the committee.

The table below shows attendance of Audit and Risk Committee members at the meetings during the year. Ailsa Beaton also attended the NAO ARC Chair's meeting in February 2024.

	24 Apr 2023	19 Jun 2023	30 Jun 2023	3 Nov 2024	22 Jan 2024	25 Mar 2024	20 May 2024
Ailsa Beaton	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Ranil Boteju	Yes	Yes	Yes	-	-	-	-
David Cooke	-	-	-	Yes	Yes	No	Yes
Jayne Scott	Yes	Yes	No	Yes	Yes	Yes	Yes

The Audit and Risk Committee publishes its own annual report, confirming that the committee is satisfied with the quality of internal and external audit and believes that it can take a measured and diligent view of the quality of the systems of reporting and control within the ICO. The 2023/24 report, and previous reports, are available on our website.

People Committee

People Committee oversees the effective mitigation of all people-related corporate risks and assures the Management Board of the effective execution and delivery of people-related strategies and plans. The People Committee met four times in 2023/24.
The committee members are all non-executives. The number of members rose from three to five during the year. The Committee is chaired by Jane McCall. The other members are Jeannette Lichner and Tracey Waltho.

Ranil Boteju joined the committee in October 2023. The May meeting was chaired by Jeannette Lichner and the Senior Independent Director (Nicola Wood) attended in place of Jane McCall. Angela Adimora joined the ICO on 26 February 2024 as the independent member of the committee.
The table below shows attendance of People Committee members at the meetings during the year.

	4 May 2023	6 Jul 2023	9 Nov 2023	2 Feb 2024	2 May 2024
Ranil Boteju	-	-	Yes	Yes	Yes
Jeannette Lichner	Yes	Yes	Yes	No	Yes
Jane McCall	No	Yes	Yes	Yes	Yes
Tracey Waltho	Yes	Yes	Yes	Yes	No
Nicola Wood	Yes	-	-	-	-

The meetings of the People Committee in 2023/24 have focused on:

- mitigating strategies and plans in place to address people-related risks;
- leadership development and the launch of our new leadership development proposition;
- organisational design and development to deliver our ICO25 objectives;
- strategic workforce planning; and
- reward strategy.

Remuneration Advisory Sub-Committee

The Remuneration Advisory Sub-Committee provides challenge, advice and scrutiny to the Information Commissioner on matters of pay and executive team development. It has four members (all non-executive directors) and is a sub-committee of the People Committee. The sub-committee meets two or three times per year.
All members are non-executives: Nicola Wood was a member and chaired the sub-committee until October 2023. Ranil Boteju joined the sub-committee in October 2023. The other members are Jeannette Lichner, Tracey Waltho and Jane McCall.
Jane McCall chaired the sub-committee from October 2023. David Cooke attended the June meeting in place of Jane McCall.
The Information Commissioner attends every meeting. The table below shows attendance of Remuneration Advisory Sub-Committee members at the meetings during the year.

	5 Jun 2023	9 Nov 2023	2 May 2024
Ranil Boteju	-	Yes	Yes
David Cooke	Yes	-	-
Jeannette Lichner	Yes	Yes	Yes
Jane McCall	No	Yes	Yes
Tracey Waltho	Yes	Yes	No
Nicola Wood	Yes	-	-

Regulatory Committee

The role of the Regulatory Committee is to provide strategic oversight of regulatory methodologies, decision-making and processes in line with our strategic objectives, to ensure that these are effective and fit for purpose. The first meeting of the committee took place in April 2023 and it met four times during 2023/24. The committee has nine members, including three non-executive members and an independent member. It is chaired by the Information Commissioner. Peter Hustinx is the independent member of the committee.

The meetings of the Regulatory Committee in 2023/24 have included items on:

- our approach to regulatory interventions, including the development of the Regulatory Action Framework;
- the prioritisation framework;
- the impact of the subsequently delayed DPDI Bill; and
- our work to support and provide regulatory certainty to small and medium sized enterprises.

	24 April 2023	29 June 2023	7 Sept 2023	4 Dec 2023	18 April 2024	6 June 2024
John Edwards	No	Yes	Yes	Yes	Yes	Yes
Paul Arnold	Yes	Yes	No	Yes	No	Yes
Stephen Bonner	Yes	Yes	No	No	Yes	Yes
David Cooke	Yes	Yes	Yes	Yes	Yes	Yes
Peter Hustinx	Yes	Yes	Yes	Yes	Yes	No
Emily Keaney	Yes	Yes	Yes	No	Yes	Yes
Jeannette Lichner	Yes	Yes	Yes	Yes	Yes	Yes
Melissa Mathieson	Yes	Yes	Yes	No	Yes	Yes
Tracey Waltho	Yes	Yes	No	Yes	No	No

Executive team

The executive team provides day-to-day leadership for the ICO and is responsible for developing and delivering against ICO25. At the start of 2023/24, the team consisted of:

- Information Commissioner;
- Deputy Chief Executive Officer and Chief Operating Officer;
- Deputy Commissioner (Regulatory Policy);
- Deputy Commissioner (Regulatory Supervision);
- Interim Executive Director (Regulatory Risk);
- Executive Director (Corporate Digital, Data and Technology);
- Executive Director (Strategic Communications and Public Affairs);
- Executive Director (Strategic Change and Transformation); and
- General Counsel.

During 2023/24 the following changes took place on the executive team:

- Louise Locke was appointed as Executive Director (Customer Services) on 11 December 2023.

There is one change expected to take place to the ICO executive team in 2024/25. The role of Executive Director (Regulatory Risk) is currently filled by Stephen Almond as a fixed term appointment. We expect to permanently fill the role in 2024/25 through a full recruitment campaign.
Information about each of the executive team members is available on our website.

The following structure chart illustrates the executive team structure as at 31 March 2024:

John Edwards
Information Commissioner

Stephen Almond
Executive Director
(Regulatory Risk)

Stephen Bonner
Deputy Commissioner
(Regulatory Supervision)

Emily Keaney
Deputy Commissioner
(Regulatory Policy)

Paul Arnold MBE
Deputy Chief Executive and Chief Operating Officer

Angela Balakrishnan
Executive Director (Strategic Communications and Public Affairs)

Claudia Berg
General Counsel

Jen Green
Executive Director
(Strategy and Resources)

Rob Holtom
Executive Director (Digital, Data and Technology, Transformation and Delivery)

Louise Locke
Executive Director
(Customer Services)

The executive team is supported in its role by the senior leadership team. This team consists of 29 Directors across the organisation, an increase of seven Directors during 2023/24 (one of whom is on a secondment from another organisation).
The additional director roles were in Strategy and Planning, Strategic Enforcement, Legal Services, Delivery, Data, Architecture and Children’s Strategy.

Board effectiveness

The Management Board has considered its compliance with the 'Corporate governance in central government departments: Code of good practice 2017'. The ICO is not required to adopt all aspects of the code but we have aligned to the code as far as practical. Where there is divergence, the Board considers that there are good reasons for this, given the nature of the organisation as a corporation sole, or because the Information Commissioner's role encompasses those of Chair, CEO and Accounting Officer. In particular:

- The Board does not have any powers or duties reserved to it. This is because the Information Commissioner is a corporation sole and has the ultimate authority in the organisation. However, in line with the scale and complexity of the ICO's role and remit, the Commissioner discharges their responsibility for the strategic leadership of the organisation through the Management Board, comprising non-executive and executive directors, of which the Information Commissioner is the Chair. The Board operates based on collective decision-making principles and a 'majority vote' in circumstances where the Board cannot reach a consensus view. The Commissioner, as a corporation sole, will always have the right to set a course of action that is contrary to the majority view of the Board. There have been no such instances in 2023/24. This is also the case for the Management Board's committees.
- Although the ICO has a Remuneration Advisory Sub-Committee to advise the Information Commissioner on remuneration policies about executive team pay, as a corporation sole, the Information Commissioner retains ultimate authority in this area.
- The Board comprises non-executive directors from both public and commercial private sector backgrounds. The majority of current non-executive directors come from public sector backgrounds, rather than the commercial private sector as advised in the code.
- The Board operates within the overall system of corporate governance at the ICO.

In 2023/24, the Management Board undertook an internal light touch effectiveness review. The review focused on three main areas, which were:

- strategy and leadership;
- assurance; and
- operation of the Board.

The review demonstrated overall satisfaction with the effectiveness and operation of the Board. Areas of good practice identified included:

- increased diversity in the Board membership and capabilities;
- risk management;
- performance monitoring; and
- the work of the Board's committees.

Areas for further consideration and development included:

- a wider understanding of the external operating environment;
- ensuring the Board is setting the right tone and culture; and
- devoting focused time to strategy setting.

Where we identified opportunities for continuous improvements, we put actions in place to ensure the continued effectiveness of the Board.
In addition to the Board effectiveness review, the Audit and Risk Committee and People Committee each also undertook internal effectiveness reviews. Both reviews concluded that the committees were operating effectively, but identified various minor updates to the ways which these committees work.

Risk assessment

Risk management, identifying risks and assessing our response to risk and opportunities are integral to how we make decisions about our priorities and resources. The main changes to our risks and opportunities during 2023/24 were:

- Increase the risk around productivity, to recognise that our workforce strategy and enterprise data strategy have identified areas of potential productivity gain. That work needs to continue through the delivery of the ICO's change programme to realise efficiencies and increase productivity. Mitigations for this risk include the delivery of the strategies above and our transformation programme, as well as work on our prioritisation framework and project delivery and initiation.
- Decrease the risk around managing the ICO's reputation, to reflect the work undertaken to broaden our messages and audiences, utilising new channels and engaging with communities of unmet need.
- De-escalation from the corporate risk register of the risk around the Online Safety Bill as a result of the completion of the legislative process and the subsequent clarification of the impact of the new law on the ICO.

The table below sets out the risks which have had the highest current risk rating during 2023/24 within our corporate risk register.

Key corporate risk	What we did in 2023/24 to address the risk	What more we'll do in 2024/25
Poor financial performance, including risk of deficit position in current financial year	• Regular monitoring of fee income collection. • Monthly management accounts tracking income and expenditure. • Working closely with DSIT to review the current fee model.	• Detailed financial projections linked with workforce planning strategy with longer term financial planning assumptions and sensitivities reviewed on a regular basis. • Implement the outcomes of DSIT's review of the data protection fee model and the next Spending Review.
Major business continuity incident, for example loss of IT systems, power or people	• Business Continuity strategy reviewed annually by Audit and Risk Committee. • Two business continuity exercises undertaken in the year to test plans and to ensure key roles and responsibilities are clear.	• Review and refresh of the communications plan for a major incident. • Capturing lessons learned and taking action as appropriate. • Further exercises are planned with a focus on cyber security.
Regulatory action and activity	• An ongoing programme to review our regulatory delivery functions including a review of the Regulatory Action Framework and penalty setting guidance.	• Delivery of the new framework and processes, including training for staff to ensure we have the right capacity and capability to deliver.
Data protection legislative reform Implementation	• Dedicated project team coordinating planning and development of implementation delivery. • Training and communications plans developed.	• Identification of priority workstreams and scoping of work to review current ICO guidance and process.

We have considered our compliance with the 'Orange Book: management of risk – principles and concepts'. The ICO is not required to adopt all aspects of the code. However, we have aligned to the code of practice as far as practical.

With the exception of Question 5, Principle A: Governance and Leadership, our practices comply with the requirements of the Orange Book's five principles. We plan to continue to make improvements in our risk information and insights to support decision-making. We aim to achieve this by March 2025 in order to demonstrate a sustained period of compliance with this requirement.

At present, we do not have any risks within our corporate risk register about a climate-related issue. This is due to the nature of the ICO's work. Sustainability and climate risks are identified through department level risk registers and are reported on to the Audit and Risk Committee.

Sources of assurance

As Accounting Officer, the Information Commissioner has responsibility for reviewing the effectiveness of the system of internal control, including the risk management framework. This review is informed by the work of the internal auditors and senior managers who have responsibility for the development and maintenance of the internal control framework, and comments made by the external auditors in their management letter and other reports.

2023/24 was the first year of The Government Internal Audit Agency (GIAA) providing internal audit services for the ICO. Mazars provided previous internal audit services. GIAA's annual audit opinion for 2023/24 stated:

"I am providing a Moderate opinion on the adequacy of the framework of governance, risk management and control within the ICO. My opinion is based primarily on the internal audit activity conducted during this period but is also informed by meetings with senior management and observations during attendance at ARC, together with my wider understanding of the control environment. We have delivered our agreed programme of nine reviews for 2023-24, in line with the agreed amendments made to the plan during the year to ensure reviews were appropriately timed to enhance the value added for ICO… we have provided five Moderate opinions and one Substantial opinion. We also completed three Advisory reviews which contribute to our overall assessment. I can confirm that the governance, risk management and control arrangements in 2023/24 were operating adequately in most of the areas reviewed."

During the review GIAA identified areas of good practice and opportunities for developing and improving current activities. GIAA's annual audit opinion for 2023/24 stated

"In line with the Moderate assurance provided in this report, we do not consider that the weaknesses referenced above constitute significant weaknesses to the overall framework of control."

Moderate is the second highest of the four ratings offered by GIAA, who provide annual report opinions of substantial, moderate, limited and unsatisfactory. The definition of moderate is: **"Some improvements are required to enhance the adequacy and effectiveness of the framework of governance, risk management and control."**

GIAA made 51 recommendations in their audits during 2023/24, of which 20 were due for implementation before the year end. The remaining 31 recommendations were due for implementation during 2024/25.

There were also 33 recommendations from audits undertaken by our previous internal auditors during 2022/23 which had a due date during 2023/24. GIAA has followed up on the implementation of these recommendations during the year.

In total, GIAA reviewed progress with 60 recommendations (53 of which were due for completion during 2023/24 and seven of which were originally due for completion during 2024/25). All 60 have been confirmed as completed. This leaves 24 recommendations to address during 2024/25.

The Information Commissioner is satisfied that a plan is in place to implement all of the recommended improvements to the system of internal control in an appropriate timescale and to ensure continuous improvement of this system. The Information Commissioner is also satisfied that all material risks have been identified and that those risks are being effectively managed.

Overall assessment of control environment

It is the view of the Information Commissioner and the Management Board that, based on the information provided in this section of the annual report and the discussions at their various meetings, there is a strong system of controls throughout our governance system which is operating effectively with no significant weaknesses. This is supported by our moderate assurance rating from our internal audit provider and the timely completion of all internal audit actions which were due during 2023/24.

Remuneration and staff report

This section provides information about the ICO's remuneration policy, staff involvement and wellbeing, and equality, diversity and inclusion (EDI). There are also key disclosures about staffing costs.

Remuneration policy

Schedule 4 to the DPA 2018 states that the salary of the Information Commissioner be specified by a Resolution of the House of Commons.

The current Information Commissioner was appointed in January 2022 for a five-year term. The rate of salary paid to them is £200,000 per annum, which is paid directly from the Consolidated Fund.

The ICO is bound to the standard public sector pay policy guidelines issued by Cabinet Office. We conducted our annual pay review in line with the requirements of this guidance. Staff appointments are made on merit, based on fair and open competition and, unless otherwise stated, are open-ended.

People who are made redundant are entitled to receive compensation as set out in the Civil Service Compensation Scheme.

In matters concerning executive team pay, the Information Commissioner also takes into account the advice of the ICO's independent Remuneration Advisory Sub-Committee.

Executive team members are appointed on permanent contracts with a notice period of three calendar months.

Non-executive directors are appointed for an initial term of three years, renewable by the Information Commissioner by mutual agreement.

In 2023/24, we typically expected our non-executive directors to contribute 26 days per annum to their role at the ICO. Non-executive directors receive an annual fee of £22,464.

We typically expect our Senior Independent Director to contribute 40 days per annum to their role at the ICO. They receive an annual fee of £34,560.

There may also be times when, due to the workload of the Management Board, our non-executive directors need to contribute significantly more time than we typically expect to their role at the ICO. In these circumstances, our non-executive directors may be paid for these additional days.

Our values

Our values are central to the way we work. They influence the way we work with stakeholders, make decisions, support and behave towards one another and continually challenge ourselves to achieve our vision.

Our ICO25 strategy has four values:

Curious

We believe in continuous learning, empowering our teams to experiment and innovate and are eager for new or different perspectives to inform our work.

We are curious enough to consider new ideas and agile enough to explore them effectively.

We are curious, empathetic and actively interested in understanding all perspectives. We particularly use this to make our expectations of those we regulate as simple as possible to implement.

We regularly ask ourselves why, and why not, and seek creative opportunities and solutions to both recurring and new situations.

We challenge each other constructively, supporting each other to find the best outcome.

Collaborative

We work together in ways which enable us to prioritise, support our agility and our collective and individual high performance. This enables us to successfully execute our plans by responding to emerging risks and opportunities at pace but without sacrificing our high standards.

We move fast together so we can fix things in ways which are timely and relevant for our customers, stakeholders and colleagues.

We experiment together, learn and continuously improve. If it doesn't work, we learn from it quickly and make changes.

Impactful

We thrive on delivering at pace and with impact, by being selective to be effective. This will help us to ensure our important work makes a material difference. We take pride in our high performance.

We set clear objectives and make timely, informed decisions, using evidence and insight. We also measure and evaluate our work.

We achieve high performance by empowering people to take personal ownership and accountability. We learn from our mistakes, continuously develop and celebrate our successes.

Inclusive

We want a truly equal, diverse workforce and inclusive culture. One where we respect each other and those we serve. We want diverse teams and leadership. We want stakeholder relationships that reflect our society so our organisation can thrive and perform at our very best.

We are curious to understand all perspectives, recognising the value that they bring. Our aim is for equality, diversity and inclusion to become fully embedded in all our working and thinking.

Employee involvement and wellbeing

We believe in creating an environment that gives everyone the chance to thrive, in celebrating our differences and in embracing inclusive ways of working so that everyone feels included, supported and healthy at work. We understand the importance of representing the communities we serve, of building an inclusive and respectful culture and of delivering services that remain accessible to all. Ensuring that our employees feel well at work is a core aspect of our high-performance strategy.

We continue to focus on how we can best support our staff's health and wellbeing.

We continue to place emphasis on the proactive action we can take to support staff wellbeing and have a range of support options available via our dedicated wellbeing intranet site and wellbeing workshops. We continue to signpost to additional external sources of support. Internally, our wellbeing champions and 30 mental health first aiders are on hand to promote mental, physical and financial wellbeing. Their core goal is to raise awareness and show support for colleagues' wellbeing. We continue to provide flexible arrangements for staff where needed to support caring responsibilities.

We provide equipment to enable colleagues to work effectively from home, as well as running social activities to bring people together.

This year, we have continued to work closely with our staff forum, EDI networks, EDI steering group and our recognised trade unions to ensure that we are seeking and listening to employee feedback. We want to ensure that our staff feel that they have a voice and can share their feedback and ask questions, including of our executive team and senior leaders, through hybrid events and conferences.

We have clear communications channels in place to ensure that we provide regular updates to all staff, informing them about work across the ICO. This applies both internally and externally, through intranet updates, senior leadership updates, virtual events or people manager briefings.

We will be using the results from our future people survey to inform the action we take to support the wellbeing of our colleagues.

Equality, diversity and inclusion

We value what makes us unique, to better understand and serve our customers, society and the economy. This means as a workforce, employer and regulator we must be equal, diverse and inclusive. We're making sure equality, diversity and inclusion is a thread that runs through every aspect of the ICO. EDI has continued to be a priority for the ICO in recent years and in 2023 we launched our three EDI objectives.

Delivery of these objectives is through our EDI action plan that we launched in September 2023. This plan sets out the actions we will take over a three-year period until 2026.

The action plan details what we will deliver, by when, who is responsible for delivery and how we will know we have achieved our objectives. While we acknowledge that there is still some way to go, we can demonstrate progress and actions we've taken.

EDI objective 1:

We will represent the communities and societies we serve:

We believe that diverse teams make better decisions, boost creativity and innovation, enable greater professional growth and increase our understanding of the communities we regulate. As a workforce, we are the most effective and have the greatest impact when we are representative and consider different perspectives.

Amongst other things, we have:

- recognised that only 17% of those working in the Digital, Data and Technology directorate were female, compared to about 62% across the ICO. The steps we took to review our recruitment process resulted in this increasing to 33%; and
- made changes to our application requirements, like removing the requirement to hold a university degree from the vast majority of roles.

EDI objective 2:

Our culture will be inclusive:

We're at our best when we support and look out for one another and when we trust and empower each other to be ourselves. That applies whether it's within the workplace or in the work that we do. We have measures in place to support our diverse workforce, such as reasonable adjustments. However, we will do more to remove the barriers that are preventing people from developing and progressing.

Amongst other things, we have:

- continued to look at our policies and identify areas where groups are underrepresented, for example through the development of a menopause policy and a Trans policy;
- embedded a mandatory requirement for all colleagues to have a specific EDI-related objective in their performance development review (PDR);
- focused on developing the capability of our leaders through training;
- continued to develop our reasonable adjustments process to make sure it is embedded at every stage of the employee lifecycle; and
- continued to work collaboratively with our EDI networks and EDI Board on an awareness-raising disclosure campaign to encourage and improve self-identification data collection.

EDI objective 3:

We will better understand the needs of everyone to deliver services that are accessible to all:
We target our regulatory interventions on the areas of greatest harm and to make a real difference to people's lives. Technological innovation by businesses means the landscape we regulate is constantly transforming. We know we're at our best when we understand the needs of all our customers, including those who experience vulnerability and communities of unmet need.

Amongst other things, we have:

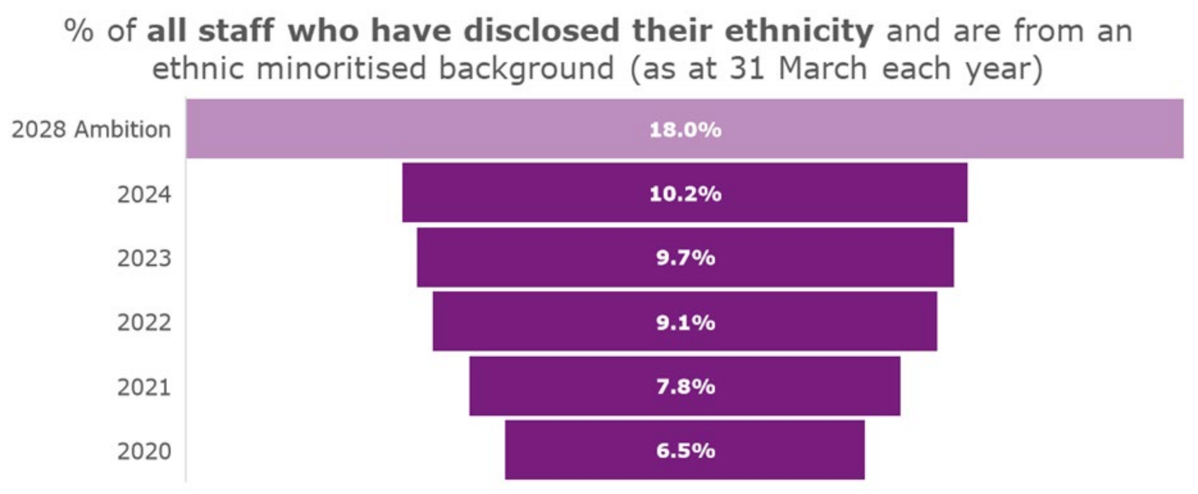
- developed our research and insight to understand the needs of the diverse communities we serve. Examples include working closely with those who have experienced a breach of their HIV status, those who are domestic violence survivors, people who have had care experience, the gypsy traveller community and the Muslim Charities Forum; and
- continued to ensure that our customer and stakeholder-facing services are accessible and in line with the outcomes of our equality impact assessment and best practice.

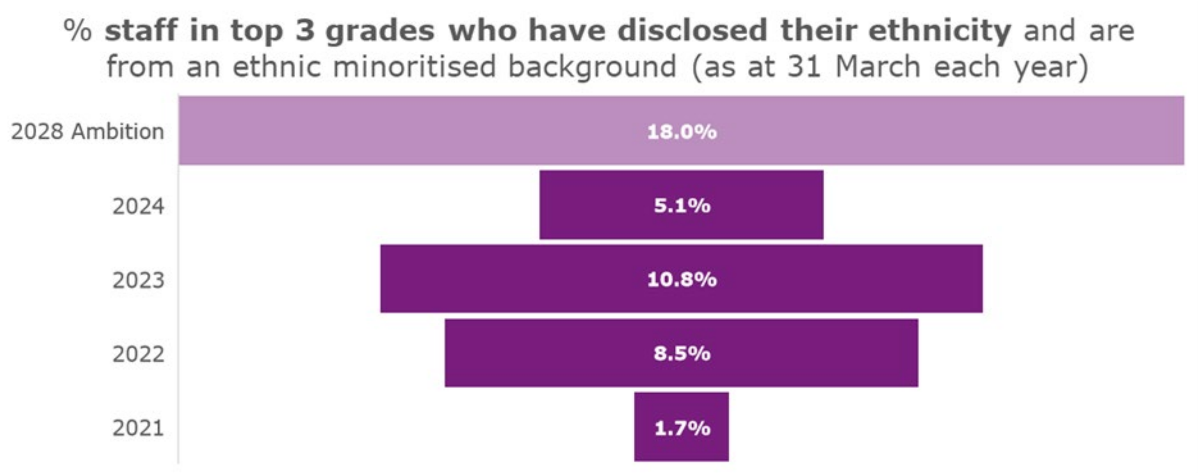
Our workforce demographics

As part of our EDI objectives and supporting action plan, we have set EDI workforce demographic targets to achieve by 2028. The data below includes the 2021 census UK demographics for the three groups the ICO have captured sufficient data to benchmark against:

	ICO target	Top three grades target	United Kingdom
Sex	**60%** of staff are female	**51%** of top three grades are female	**51%** of the UK population is female
Ethnicity	**18%** of staff are from an ethnic minority background	**18%** of top three grades are from an ethnic minority background	**18%** of the UK population are from an ethnic minority background
Disability	**18%** of staff have a disability	**18%** of top three grades have a disability	**18%** of the population have a disability

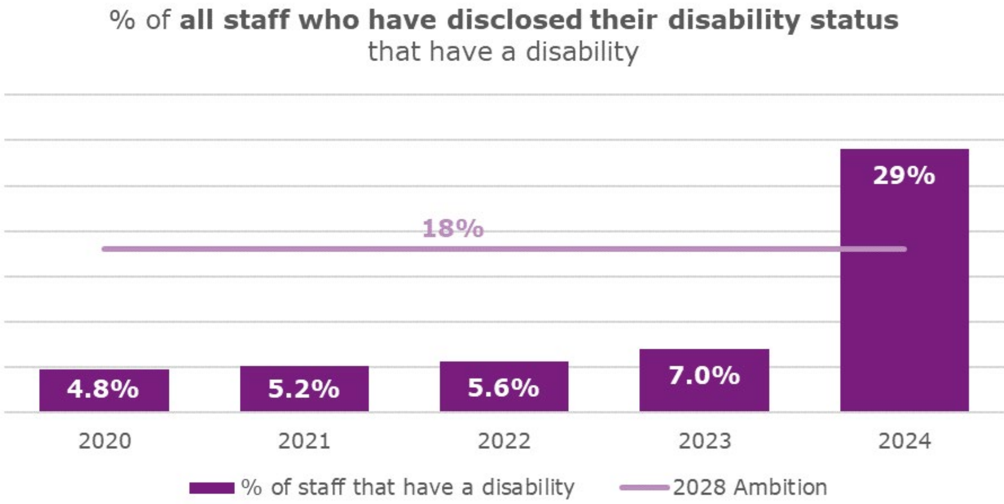
As at 31 March 2024, our workforce demographics consisted of 64% female staff and 36% male staff (31 March 2023: 63% female, 37% male). As at 31 March 2024, 60% of our top three grades are female (31 March 2023: 52%).
As at 31 March 2024, 90% of ICO employees had disclosed their ethnicity. Of those who have disclosed their ethnicity, 10.2% have disclosed that they are from an ethnic minority background, up from 9.7% on 31 March 2023. 88% of people in our three most senior grades have disclosed their ethnicity and 5.1% are from an ethnic minority background (31 March 2023: 10.8%). While we have made a positive difference in our overall representation, we acknowledge the reduction in representation of those from an ethnic minority background at our most senior grades. We are committed to better understanding what may have contributed to this change so that we can take action in areas such as candidate attraction, supporting internal career development and creating an inclusive culture.

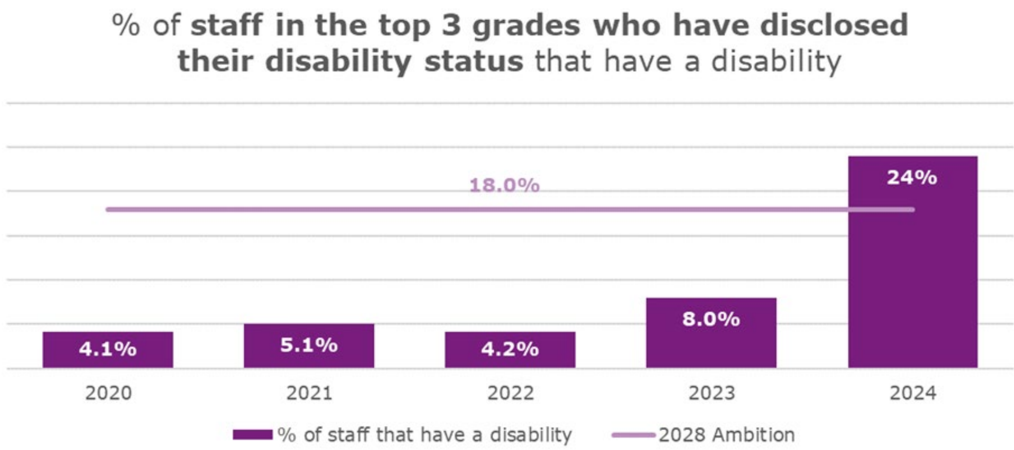




As at 31 March 2024, 32% of staff have disclosed their disability status. Of those who have disclosed their disability status, 29% have disclosed that they have a disability (31 March 2023: 7%). 40% of the top three grades have disclosed their disability status, of those who have disclosed their status 24% have declared that they have a disability (31 March 2023: 8.0%).

It is important to note that internal system changes made to capturing this data means that the disclosure rate is currently much lower than in previous years. We are actively taking steps to address this in partnership with our EDI Board, EDI steering group and staff networks.





We will continue work towards achieving our ambitions, as well as reviewing them as appropriate to support our drive for greater diversity in the organisation.

Our pay consistency panel monitors pay awards to ensure that there is consistency of approach for those with protected characteristics. They have confirmed that this is the case.

We publish our gender pay gap in line with the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017. Information about gender and ethnicity pay gaps up to 31 March 2023 is on [our website](#).

As at 31 March 2024 our gender pay gap stands at 4.8% (31 March 2023: 7.6%) and our ethnicity pay gap is 11.4% (31 March 2023: 7.6%).

The ethnicity pay gap has increased over the last year. A key driver of this increase has been the reduction in representation of those from an ethnic minority background at our most senior grades. We are committed to better understanding what may have contributed to this change so that we can take action in areas such as candidate attraction, supporting internal career development and creating an inclusive culture.

The pay gaps reported for 2023 in the 2022/23 report differ from what has been provided above (as the confirmed and accurate data).

This relates to the introduction of our new ERP, Workday. The data from last year's report was extracted on 3 April 2023, utilising a different data source. Our pay gap data most recently published and included above has been extracted on 4 September 2023.

During 2023/2024, our employee data has been updated and efforts made to increase the disclosure rates, providing a more accurate position than in previous years.

Further information about equality, diversity and inclusion is available on [our website](#).

Equality, diversity and inclusion (EDI) staff networks

We have six staff networks:

Access and inclusion

Focused on improving the experience of disabled staff and customers at the ICO. This network promotes positive attitudes towards disabled people and raises awareness of disability equality by identifying and removing barriers to inclusion.

Healthy Minds

Focused on the importance of good mental health. This network aims to raise awareness and challenge the perceived social stigma linked to mental and emotional health issues, including stress, depression and anxiety.

Pride

Supporting LGBTQ+ colleagues, raising awareness and celebrating diversity. This network aims to promote a safe, inclusive and diverse working environment that encourages respect and equality for all.

Menopause Network

Supporting colleagues who experience symptoms of menopause to manage and support them in their careers, as well as signposting services that can offer additional support.

REACH

Standing for race, ethnicity and cultural heritage, this network focuses on raising awareness of these issues at the ICO and in the wider community and celebrating diversity.

Women's

Focused on gender equality. This network aims to encourage, empower and support women in their careers at the ICO and beyond.

Further information about our inclusion and wellbeing offer to our staff is available on [our website].

Salary and pension entitlements (audited)

Details of the remuneration and pension interests of the Information Commissioner and the Management Board members[1] are provided below. Accrued pensions benefits for directors are not included in this table for 2023/24 due to an exceptional delay in the calculation of these figures, following the application of the public service pension remedy[2].

Remuneration (salary, bonuses, benefits in kind and pensions)

	Salary (£'000) (in bands of £5,000)		**Benefits in Kind (£)** (to nearest £100)		**Pension benefits** (£'000) (-nearest £1,000)		**Total (£'000)** (in bands of £5,000)	
Officials	2023/24	2022/23	2023/24	2022/23	2023/24	2022/23	2023/24	2022/23
John Edwards Information Commissioner	200-205	200-205	5,700	19,900	See note above table	77	See note above table	295-300
Paul Arnold Deputy Chief Executive and Chief Operating Officer	155-160	145-150	-	-	See note above table	30	See note above table	175-180
Stephen Bonner Deputy Commissioner (Regulatory Supervision)	130-135	125-130	-	-	See note above table	-	See note above table	125-130
Emily Keaney Deputy Commissioner (Regulatory Policy)	110-115	80-85 (100-105 full year)[3]	-	-	See note above table	39	See note above table	120-125
Ailsa Beaton Non-executive director	20-25	20-25	-	-	-	-	20-25	20-25
Ranil Boteju Non-executive director	20-25	10-15 (full year 20-25)[4]	-	-	-	-	20-25	10-15
David Cooke Non-executive director	20-25	20-25	-	-	-	-	20-25	20-25

[1] Set out earlier in the report on page 61.

[2] https://www.gov.uk/government/collections/how-the-public-service-pension-remedy-affects-your-pension

[3] Emily Keaney moved into this role on 20 June 2022. Prior to this she had been employed by the ICO as Director of Regulatory Strategy. The salary and benefits data for 2022/23 reflects only her remuneration while in her current Executive Team role. The pensions data also includes pensions accrued from her previous role.

[4] Ranil Boteju joined the ICO on 5 September 2022.

Officials	Salary (£'000) (in bands of £5,000)		Benefits in Kind (£) (to nearest £100)		Pension benefits (£'000) (-nearest £1,000)		Total (£'000) (in bands of £5,000)	
	2023/24	2022/23	2023/24	2022/23	2023/24	2022/23	2023/24	2022/23
Peter Hustinx Non-executive director	-[5]	20-25	-	-	-	-	-	20-25
Jeannette Lichner Non-executive director	20-25	10-15 (full year 20-25)[6]	-	-	-	-	20-25	10-15
Jane McCall Non-executive director	20-25	20-25	-	-	-	-	20-25	20-25
Tracey Waltho Non-executive director	20-25	5-10 (full year 20-25)[7]	-	-	-	-	20-25	5-10
Nicola Wood Senior Independent Director	30-35	25-30	-	-	-	-	-	30-35

The value of pension benefits accrued during the year is calculated as the real increase in pension multiplied by 20, plus the real increase in any lump sum, less the contributions made by the individual. The real increases exclude increases due to inflation or any increase or decrease due to a transfer of pension rights. Salary comprises gross salary and any other allowance to the extent that it is subject to UK taxation. There were no bonus payments to Management Board Members in 2023/24.

A relocation package of up to £45k was instructed to the ICO by the DCMS minister (plus up to eight return flights per year to/from New Zealand for the Commissioner, and for his partner, throughout the period of his term) to be paid by the ICO, to cover John Edwards' relocation expenses. The actual spend from this allocation has been reflected as a benefit in kind. All other benefits in kind relate to the organisation's contribution to the ICO's health care plan provided by BHSF.

[5] Peter Hustinx completed his term as a member of Management Board on 31 March 2023. He is now the Independent Member of Regulatory Committee.

[6] Jeannette Lichner joined the ICO on 5 September 2022.

[7] Tracey Waltho joined the ICO on 5 September 2022. However, to mitigate a potential conflict of interests when she joined the ICO, Tracey began receiving remuneration from 1 November 2022, when this potential conflict was resolved.

Pension benefits (audited)

As set out earlier in the report, accrued pensions benefits for directors are not included in this table for 2023/24 due to an exceptional delay in the calculation of these figures, following the application of the public service pension remedy.

Partnership pensions

There is one member of staff included in the list of the Commissioner's most senior staff during 2023/24 who is a member of the partnership pension scheme.

Cash Equivalent Transfer Values (CETV)

A CETV is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. It represents the amount paid made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme.

The pension figures shown relate to the benefits that the person has accrued because of their total membership of the pension scheme, not just their service in a capacity to which disclosure applies.

The figures include the value of any pension benefit in another scheme or arrangement that the person has transferred to the Civil Service pension arrangements.

They also include any additional pension benefit accrued to the member because of their purchasing additional pension benefits at their own cost. CETVs are worked out in accordance with The Occupational Pensions Schemes (Transfer Values) (Amendment) Regulations 2008 and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are taken.

Real increase in CETV

This reflects the increase in CETV that is funded by the employer. It does not include the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

Civil Service pensions

Further details about the Civil Service pension arrangements are available at The Civil Service Pension website.

Pay multiples (audited)

Reporting bodies are required to disclose the relationship between the remuneration of the highest-paid director in their organisation and the median remuneration of the organisation's workforce. The Information Commissioner is deemed to be the highest-paid director and no member of staff receives remuneration higher than the highest-paid director. The Information Commissioner's salary is set by Parliament.

The banded remuneration of the highest-paid director of the ICO in the financial year 2023/24 was £205k to £210k (2022/23: £215k to £220k). The remuneration of the highest-paid director remained unchanged from the previous year. The median, 25th percentile and 75th percentile total remuneration is calculated by ranking the annual full-time equivalent salary as of 31 March 2024 for each member of staff. The tables below set out this information.

Salary		25th percentile pay ratio	Median pay ratio	75th percentile pay ratio
2023/24	Ratio	6.32:1	4.89:1	3.64:1
	Amount	£32,030	£41,378	£55,577
2022/23	Ratio	6.77:1	5.22:1	4.00:1
	Amount	£29,895	£38,818	£50,664

Total pay and benefits		25th percentile pay ratio	Median pay ratio	75th percentile pay ratio
2023/24	Ratio	6.22:1	4.93:1	3.72:1
	Amount	£33,362	£42,072	£55,828
2022/23	Ratio	7.25:1	5.59:1	4.28:1
	Amount	£29,995	£38,918	£50,764

The reduction in pay ratios in 2023/24 is attributable to the Information Commissioner's salary remaining fixed, while all other salaries were increased through annual pay uplifts. In addition, the benefits-in-kind provided to the Commissioner through his relocation package reduced in 2023/24. The Commissioner's pay is expected to remain the same for the duration of his term and therefore the ratios are expected to continue to reduce in future. Our employees' pay is consistent with our pay, reward and progression policies.

Staff remuneration ranged from £23,119 to £207,500 (2022/23: £21,810 to £219,920). The average percentage change in remuneration for staff was 10.1%.
Total remuneration includes salary, non-consolidated performance-related pay and benefits-in-kind. It does not include severance payments, employer pension contributions or the CETV of pensions.

Number of senior civil service staff (or equivalent) by band

The following staff are at a grade equivalent to the senior civil service (SCS) bands at the end of 2023/24:

- SCS Band 3: Information Commissioner
- SCS Band 2: nine executive team members (listed on page 65)
- SCS Band 1: 30 directors, consisting of 29 directors in permanent roles and one interim director appointed on a temporary basis to cover a long-term sickness absence.

Staff composition

As of the end of 2023/24 there were 12 members of the Management Board, of whom six were female and six were male, which is consistent with the staff composition at the end of 2022/23. Among staff at a grade equivalent to SCS, at the end of 2023/24 23 were female (2022/23: 18) and 17 were male (2022/23:13). In total in the ICO at the end of 2023/24, 64% of staff were female (2022/23: 63%) and 36% male (2022/23: 37%).

Sickness absence

The average number of sick days taken per person during 2023/24 was 7.1 days (2022/23: 6.2 days).

Staff turnover

The staff turnover for the ICO during 2023/24 was 12.2% (2022/23: 9.9%).

Staff engagement

This year we have not completed an all-colleague survey but we are currently in development stage for a survey to be launched.
We launched a new survey tool called Pulse 360 in May 2022. We use the tool to take regular pulse checks and enable engagement with colleagues to tell us about their experiences to help us shape our plans for the future.

During 2023/24 we used Pulse 360 to consult staff on our future priorities and values as part of our ICO25 plan. We also used Pulse 360 to obtain feedback to enable colleagues to let us know what they think about specific topical subjects. To date, we have conducted surveys about:

- our ICO25 plan;
- our internal style guide; and
- our future accommodation strategy

The level of engagement in these staff surveys during 2023/24 was between 50-65% (2022/23: 68%).

Staff policies relating to the employment of disabled persons

The ICO's recruitment processes ensure that shortlisting managers only assess the applicant's skills, knowledge and experience for the job. All personal information is removed from applications before shortlisting.
The ICO applies the Disability Confident standard for job applicants who are disabled. It has also assisted in the continued employment of disabled people by providing a work environment that is accessible and equipment that allows people to perform effectively.
Our disabled staff are given equal access to training and promotion opportunities. We make adjustments to work arrangements, work patterns and procedures to ensure that people who are, or become, disabled are treated fairly and can continue to contribute to the ICO's aims.

Staff numbers and costs (audited)

As of 31 March 2024, the ICO had 1,091 permanent staff (1,036.1 full time equivalents) (2022/23: 1,044 permanent staff and 990.1 full time equivalents). Further information about staff numbers and costs is set out at Note 3 to the accounts.

Expenditure on consultancy

During 2023/24 there was no expenditure on consultancy as defined in Cabinet Office spending controls guidance (2022/23: £270k). This expenditure in 2022/23 primarily related to work developing our ICO25 plan and target operating model to achieve this.

Off-payroll engagements

There were no off-payroll engagements during 2023/24 (2022/23: none).

Exit packages (audited)

Redundancy and other departure costs are paid in accordance with the provisions of the Civil Service Compensation Scheme, a statutory scheme made under the Superannuation Act 1972. Exit costs are accounted for in full in the year of departure. Where the Information Commissioner has agreed early retirements, the additional costs are met by the Information Commissioner and not by the Principal Civil Service Pension Scheme (PCSPS). Ill health retirement costs are met by the pension scheme and are not included in the table above.

There were no compulsory redundancies in 2023/24 (2022/23: none) and no other exit packages (2022/23: none).

Ex-gratia payments made outside the provisions of the Civil Service Compensation Scheme are agreed directly with the Treasury where necessary. There were no such payments made during 2023/24.

Trade union facility time

Relevant union officials	2023/24	2022/23	2021/22
Number of employees who were relevant union officials during the relevant period	21	21	22
Full time equivalent employee number	1.12	1.03	1.63

Percentage of time spent on facility time	2023/24	2022/23	2021/22
0%	1	1	0
1-50%	20	20	21
51%-99%	0	0	0
100%	0	0	1

Percentage of pay bill spent on facility time	2023/24	2022/23	2021/22
Total cost of facility time	£41,671.97	£37,859.38	£55,462.23
Total pay bill	£50,925,000	£41,679,000	£36,584,000
Percentage of pay bill	0.08%	0.09%	0.16%

Relevant union officials	2023/24	2022/23	2021/22
Time spent on trade union activities as a percentage of total paid facility time hours	20%	20%	20%

Parliamentary accountability

This section provides information about the ICO's accountability to Parliament and includes key audited figures.

Regularity of expenditure (audited)

There are no regularity of expenditure issues in year.
There have been no write-offs completed during 2023/24.

Write-offs and losses	2023/24 (£)	2022/23 (£)	2021/22 (£)
GDPR fee income write-off	-	-	26,940
Staff and other cost recovery write-off	-	17,471	-
Total	-	17,471	26,940

In accordance with managing public money, individual losses over £300,000 are required to be disclosed separately.
No individual or cumulative events breached the disclosure level of £300,000 (2022/23: none)

Fees and charges (audited)

Information on fees collected from data controllers who notify their processing of personal data under the DPA is provided in the Financial performance summary, as part of the performance report earlier in this document. Further information on data protection fees is also set out in Notes 1.5 and 2 to the financial statements.

Remote contingent liabilities (audited)

Please see Note 18 to the accounts.

Gifts

There were no instances (2022/23: none) of gifts being given by the ICO to any person or organisation that was in excess of the limits proscribed in Managing Public Money or the maximum gift limit of £30 set out in the ICO's Gifts and Hospitality Policy.

Government Functional Standards

During 2023/24 we reviewed our control framework to understand how the Government Functional Standards apply to our work and the extent to which we aligned to these standards. After reviewing each standard, we were able to confirm that we meet all parts of all of the applicable standards and assessed a rating of at least "Good" in each standard with the exception of GovS 005: Digital. We have also achieved "Best" in GovS 004: Property.
The Digital standard was rewritten by the Central Digital and Data Office (CDDO) presenting four key themes which focus on governance, services, technology and data. Following a full reassessment of the new standards and requirements criteria, we have rebase-lined and report a significant proportion of requirements meet 'Good' and more positively some at 'Better' and 'Best', with just one criterion showing as not meeting requirements. The criterion focuses on all senior civil servants having had training in digital, technology and data essentials.
Work is underway to ensure completion by September 2024.

Public sector information holders

The ICO has complied with the cost allocation and charging requirements set out in HM Treasury guidance.

Pension liabilities

Details on the treatment of pension liabilities are set out in Note 3 to the financial statements.

Annual accounts and audit

The annual accounts have been prepared in a form directed by the Secretary of State with the consent of the Treasury in accordance with paragraph 11(1)(b) of Schedule 12 to the DPA 2018. Under paragraph 11(3) of Schedule 12 to the DPA 2018 the Comptroller and Auditor General was appointed auditor to the Information Commissioner. The cost of audit services for this year was £79k (2022/23: £44k). No other assurance or advisory services were provided but additional audit work was required to be undertaken following the implementation of a new HR and finance system during 2023/24, and to complete the 2022/23 audit work.

So far as the Accounting Officer is aware, the Comptroller and Auditor General is aware of all relevant audit information, and the Accounting Officer has taken all the steps that they ought to have taken to make themselves aware of relevant audit information and to establish that the Comptroller and Auditor General is aware of that information.

John Edwards

8 July 2024

The Certificate and Report of the Comptroller and Auditor General to the Houses of Parliament

Opinion on financial statements

I certify that I have audited the financial statements of the Information Commissioner's Office for the year ended 31 March 2024 under the Data Protection Act 2018.
The financial statements comprise the Information Commissioner's Office

- Statement of Financial Position as at 31 March 2024;
- Statement of Comprehensive Net Expenditure, Statement of Cash Flows and Statement of Changes in Taxpayers' Equity for the year then ended; and
- the related notes including the significant accounting policies.

The financial reporting framework that has been applied in the preparation of the financial statements is applicable law and UK adopted International Accounting Standards.
In my opinion, the financial statements:

- give a true and fair view of the state of the Information Commissioner's Office's affairs as at 31 March 2024 and its net expenditure for the year then ended; and
- have been properly prepared in accordance with the Data Protection Act 2018 and Secretary of State directions issued thereunder.

Opinion on regularity

In my opinion, in all material respects, the income and expenditure recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Basis of opinions

I conducted the audit in accordance with International Standards on Auditing (UK) (ISAs UK), applicable law and Practice Note 10 Audit of Financial Statements and Regularity of Public Sector Bodies in the United Kingdom (2022). My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of our certificate.
Those standards require us to comply with the Financial Reporting Council's Revised Ethical Standard 2019. We are independent of the Information Commissioner's Office in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK. We have fulfilled our other ethical responsibilities in accordance with these requirements.
I believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Conclusions relating to going concern

In auditing the financial statements, I have concluded that the Information Commissioner's Office's use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the Information Commissioner's Office's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

Our responsibilities and the responsibilities of the Accounting Officer with respect to going concern are described in the relevant sections of this certificate.

The going concern basis of accounting for the Information Commissioner's Office is adopted in consideration of the requirements set out in HM Treasury's Government Financial Reporting Manual, which require entities to adopt the going concern basis of accounting in the preparation of the financial statements where it is anticipated that the services which they provide will continue into the future.

Other information

The other information comprises the information included in the Annual Report, but does not include the financial statements nor our auditor's certificate. The Accounting Officer is responsible for the other information.

My opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in our certificate, we do not express any form of assurance conclusion thereon.

My responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements, or our knowledge obtained in the audit, or otherwise appears to be materially misstated.

If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact.

I have nothing to report in this regard.

Opinion on other matters

In my opinion the part of the Remuneration and Staff Report to be audited has been properly prepared in accordance with Secretary of State's directions issued under the Data Protection Act 2018.

In my opinion, based on the work undertaken in the course of the audit:

- the parts of the Accountability Report subject to audit have been properly prepared in accordance with Secretary of State's directions made under the Data Protection Act 2018; and
- the information given in the Performance and Accountability Report for the financial year for which the financial statements are prepared is consistent with the financial statements and is in accordance with the applicable legal requirements.

Matters on which I report by exception

In the light of the knowledge and understanding of the Information Commissioner's Office and its environment obtained in the course of the audit, I have not identified material misstatements in the Performance and Accountability Reports.
I have nothing to report in respect of the following matters which I report to you if, in my opinion:

- adequate accounting records have not been kept by the Information Commissioner's Office or returns adequate for my audit have not been received from branches not visited by my staff; or
- I have not received all of the information and explanations I require for my audit; or
- the financial statements and the parts of the Accountability Report subject to audit are not in agreement with the accounting records and returns; or
- certain disclosures of remuneration specified by HM Treasury's Government Financial Reporting Manual have not been made or parts of the Remuneration and Staff Report to be audited is not in agreement with the accounting records and returns; or
- the Governance Statement does not reflect compliance with HM Treasury's guidance.

Responsibilities of the Accounting Officer for the financial statements

As explained more fully in the Statement of Accounting Officer's Responsibilities, the Accounting Officer is responsible for:

- maintaining proper accounting records;
- providing the C&AG with access to all information of which management is aware that is relevant to the preparation of the financial statements such as records, documentation and other matters;
- providing the C&AG with additional information and explanations needed for his audit;
- providing the C&AG with unrestricted access to persons within the Information Commissioner's Office from whom the auditor determines it necessary to obtain audit evidence;
- ensuring such internal controls are in place as deemed necessary to enable the preparation of financial statements to be free from material misstatement, whether due to fraud or error;
- preparing financial statements which give a true and fair view in accordance with Secretary of State directions issued under the Data Protection Act 2018;
- preparing the annual report, which includes the Remuneration and Staff Report, in accordance with Secretary of State directions issued under the Data Protection Act 2018; and
- assessing the Information Commissioner's Office's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Information Commissioner anticipates that the services provided by the Information Commissioner's Office will not continue to be provided in the future.

Auditor's responsibilities for the audit of the financial statements

My responsibility is to audit, certify and report on the financial statements in accordance with the Data Protection Act 2018.
My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue a certificate that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

Extent to which the audit was considered capable of detecting non-compliance with laws and regulations including fraud

I design procedures in line with my responsibilities, outlined above, to detect material misstatements in respect of non-compliance with laws and regulations, including fraud. The extent to which my procedures are capable of detecting non-compliance with laws and regulations, including fraud is detailed below.

Identifying and assessing potential risks related to non-compliance with laws and regulations, including fraud

In identifying and assessing risks of material misstatement in respect of non-compliance with laws and regulations, including fraud, I:

- considered the nature of the sector, control environment and operational performance including the design of the Information Commissioner's Office's accounting policies, key performance indicators and performance incentives.
- inquired of management, the Information Commissioner's Offices head of internal audit and those charged with governance, including obtaining and reviewing supporting documentation relating to the Information Commissioner's Office's policies and procedures on:
  - ◇ identifying, evaluating and complying with laws and regulations;
  - ◇ detecting and responding to the risks of fraud; and
  - ◇ the internal controls established to mitigate risks related to fraud or non-compliance with laws and regulations including the Information Commissioner's Office's controls relating to the Information Commissioner's Office's compliance with the Data Protection Act 2018 and Managing Public Money.
- inquired of management, Information Commissioner's Office's head of internal audit and those charged with governance whether:
  - ◇ they were aware of any instances of non-compliance with laws and regulations;
  - ◇ they had knowledge of any actual, suspected, or alleged fraud;
- discussed with the engagement team regarding how and where fraud might occur in the financial statements and any potential indicators of fraud.

As a result of these procedures, I considered the opportunities and incentives that may exist within the Information Commissioner's Office for fraud and identified the greatest potential for fraud in the following areas: revenue recognition, capital expenditure, posting of unusual journals, bias in management estimates and complex transactions. In common with all audits under ISAs (UK), I am required to perform specific procedures to respond to the risk of management override.
I obtained an understanding of the Information Commissioner's Office's framework of authority and other legal and regulatory frameworks in which the Information Commissioner's Office operates. I focused on those laws and regulations that had a direct effect on material amounts and disclosures in the financial statements or that had a fundamental effect on the operations of the Information Commissioner's Office. The key laws and regulations I considered in this context included Data Protection Act 2018, Managing Public Money and employment law.

Audit response to identified risk
To respond to the identified risks resulting from the above procedures:

- I reviewed the financial statement disclosures and testing to supporting documentation to assess compliance with provisions of relevant laws and regulations described above as having direct effect on the financial statements;
- I enquired of management, the Audit and Risk Committee and in-house legal counsel concerning actual and potential litigation and claims;
- I reviewed minutes of meetings of those charged with governance and the Board and internal audit report;
- I addressed the risk of fraud through management override of controls by testing the appropriateness of journal entries and other adjustments; assessing whether the judgements on estimates are indicative of a potential bias; and evaluating the business rationale of any significant transactions that are unusual or outside the normal course of business; and
- I addressed the risk of fraud through capital expenditure by testing the appropriateness of the recognition and classification of capital expenditure transactions.

I communicated relevant identified laws and regulations and potential risks of fraud to all engagement team members and remained alert to any indications of fraud or non-compliance with laws and regulations throughout the audit.
A further description of my responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at: www.frc.org.uk/auditorsresponsibilities. This description forms part of my certificate.

Other auditor's responsibilities
I am required to obtain sufficient appropriate audit evidence to give reasonable assurance that the expenditure and income recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.
I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control I identify during my audit.

Report

I have no observations to make on these financial statements.

Gareth Davies
Comptroller and Auditor General 16 July 2024
National Audit Office
157-197 Buckingham Palace Road
Victoria
London
SW1W 9SP

Statement of comprehensive net expenditure

for the year ended 31 March 2024

	Note	2023/24 £'000	2022/23 £'000
Expenditure			
Staff costs	3	68,904	56,844
Other expenditure	4	18,369	18,848
Total expenditure		**87,273**	**75,692**
Income			
Income from activities	5a	(66,508)	(65,762)
Income from fines retained	2	(3,985)	(1,648)
Total income		**(70,493)**	**(67,410)**
Net Expenditure		**16,780**	**8,282**
Total comprehensive expenditure for the year ended 31 March		**16,780**	**8,282**

Note: All income and expenditure relates to continuing operations. There was no other comprehensive expenditure for the year ended 31 March 2024 (31 March 2023: Nil).

The Notes on pages 96 to 118 form part of these financial statements.

Statement of financial position
as at 31 March 2024

	Note	31 March 2024 £'000	31 March 2023 £'000
Non-current assets			
Property, plant and equipment	6	1,676	870
Right of use assets	7	3,201	4,585
Intangible assets	8	1,349	1,464
Total non-current assets		**6,226**	**6,919**
Current assets			
Trade and other receivables	5b, 10	2,867	7,044
Cash and cash equivalents	5b, 11	8,519	17,820
Total current assets		**11,386**	**24,864**
Total assets		**17,612**	**31,783**
Current liabilities			
Trade and other payables	5b, 12	(9,386)	(12,397)
Provisions	13	(34)	(35)
Lease liability	14	(2,180)	(1,454)
Non-current assets plus net current assets		**6,012**	**17,897**
Non-current liabilities			
Provisions	13	(832)	(1,085)
Lease liability	14	(1,419)	(3,345)
Assets less liabilities		**3,761**	**13,467**
Taxpayers' equity			
General reserve		3,761	13,467
		3,761	13,467

Note: The Notes on pages 96 to 118 form part of these financial statements.

John Edwards

8 July 2024

Statement of cash flows

for the year ended 31 March 2024

	Note	2023/24 £'000	2022/23 £'000
Cash flows from operating activities			
Net expenditure		(16,780)	(8,282)
Adjustment for non-cash items	2, 3, 4	(787)	856
(Increase)/decrease in trade and other receivables	5b, 10	(300)	726
Decrease in trade payables	5b, 12	154	(1,020)
Non-cash movement in provisions	13	(253)	123
Net cash outflow from operating activities		**(17,966)**	**(7,597)**
Cash flows from investing activities			
Purchase of property, plant and equipment	6	(1,585)	(383)
Purchase of intangible assets	8	(349)	(1,117)
Net cash outflow from investing activities		**(1,934)**	**(1,500)**
Cash flows from financing activities			
Right of use assets – lease payments	14	(1,530)	(1,234)
Grant-in-aid received from DSIT	17	6,832	10,298
Net cash outflow from Financing activities		**5,302**	**9,064**
Net decrease in cash and cash equivalents during the year before adjustment for receipts and payments to the Consolidated Fund		(14,598)	(33)
Receipts of amounts due to the Consolidated Fund		6,316	17,661
Payments of amounts due to the Consolidated Fund		(1,019)	(20,529)
Net decrease in cash and cash equivalents in the year after adjustment for receipts and payments to the Consolidated Fund		9,301	(2,901)
Cash and cash equivalents at the start of the year		**17,820**	**20,721**
Cash and cash equivalents at the end of the year	5b, 11	**8,519**	**17,820**

Note: The Notes on pages 96 to 118 form part of these financial statements.

Statement of changes in taxpayers' equity

for the year ended 31 March 2024

Changes in taxpayers' equity 2022/23	Note	General reserve £'000
Balance at 31 March 2022		**11,207**
Grant-in-aid from DSIT		10,298
Comprehensive expenditure for the year		(8,282)
Non-cash charges – Information Commissioner's salary costs		244
Balance at 31 March 2023		**13,467**

Changes in taxpayers' equity 2023/24		
Balance at 31 March 2023		**13,467**
Grant-in-aid from DSIT		6,832
Comprehensive expenditure for the year		(16,780)
Non-cash charges – Information Commissioner's salary costs		242
Balance at 31 March 2024		**3,761**

Note: The Notes on pages 96 to 118 form part of these financial statements.

Notes to the accounts

1. Statement of accounting policies

We have prepared these financial statements on a going concern basis in accordance with the 2023/24 Government Financial Reporting Manual (FReM) issued by HM Treasury. The accounting policies contained in the FReM apply International Financial Reporting Standards (IFRS) as adapted or interpreted for the public sector context. Where the FReM permits a choice of accounting policy, we selected the most appropriate accounting policy to the particular circumstances of the ICO for the purpose of giving a true and fair view. The particular policies adopted by the ICO are described below. We have applied these policies consistently in dealing with items that are considered material to the accounts.

1.1. Accounting convention

We have prepared these accounts under the historical cost convention.

1.2. Disclosure of IFRS in issue but not yet effective

The ICO has reviewed all IFRS standards currently in issue but not yet effective, and concluded that none of these are applicable to the ICO. IFRS17 relates to the accounting treatment of issuing of insurance contracts and as such has no impact on the accounts of the ICO.

1.3. Grant-in-aid

Grant-in-aid is received from the Department for Science, Innovation and Technology (DSIT) to fund expenditure on Freedom of Information (FOI), Investigatory Powers Act (IPA), security of Network & Information Regulations (NIS), the Electronic Identification and Trust Services (eIDAS) regulatory work and for adequacy assessments, and is credited to the General Reserve on receipt.

1.4. Cash and cash equivalents

Cash and cash equivalents recorded in the Statement of Financial Position and Statement of Cash Flows include cash-in-hand, deposits held at call with banks, other short-term highly liquid investments and bank overdrafts.

1.5. Income from activities and Consolidated Fund income

Income collected under the Data Protection Act 2018 (DPA 2018) is surrendered to the DSIT as Consolidated Fund income, unless the DSIT (with the consent of the Treasury) has directed otherwise, in which case it is treated as Income from activities. There are three main types of income collected:

Data protection notification fees
Fees are collected from annual notification fees paid by data controllers required to register their processing of personal data under the DPA 2018. The Information Commissioner has been directed to retain the fee income collected to fund data protection work and this is recognised in the Statement of Comprehensive Net Expenditure as income. At the end of each year, the Information Commissioner may carry forward to the following year sufficient fee income to pay year-end creditors. Any fees in excess of the limits prescribed within the Management Agreement with DSIT are paid over to the Consolidated Fund. Under IFRS 15, the ICO has a single performance obligation, which is to issue a certificate of registration as a result of receiving the data protection fee.

The ICO follows a five-step approach to recognising the fee income under IFRS 15. This is as follows:

- **Step 1:** Identify contract with a customer – in line with guidance from HMT, DP fee income will be treated as the transactional price paid by data controllers (the customer) for the issuing of a certification of registration (performance obligation) by the ICO.
- **Step 2:** Identify performance obligations – the ICO's performance obligation in the DPA 2018 is to present a registration certificate to data controllers at the point of receipt of the DP fee.
- **Steps 3 and 4:** Determine transaction price and allocate the transactional price to each performance obligation – the cost of the DP fee is based on a tier system of size and complexity of an organisation and is set by the Secretary of State based on consultation with the ICO on the forecasted costs of delivering all regulatory services to both organisations and the general public. The single obligation of the ICO remains to provide a Certificate of Registration upon receipt of the DP fee based on the tier of the customer's organisation.
- **Step 5:** Recognise revenue when performance obligations are met – this is deemed to be at the point of registration and receipt of the DP fee.

Civil monetary penalties
The Information Commissioner can impose civil monetary penalties for serious breaches of the DPA of up to £17.5m or 4% of global turnover of an enterprise, whichever is higher. For breaches of PECR, the Information Commissioner can impose penalties of up to £500k. A penalty can be reduced by 20% if paid within 30 days of being issued.

In June 2022 the ICO received approval from the Treasury to retain a portion of the penalties collected during the year to cover legal costs (internal and external) for all enforcement action and litigation under the DPA and PECR. The agreement was effective from the start of 2022/23 and covers costs related to:

- external experts, for example technical reports, forensic analysis;
- external counsel;
- external paralegals;
- external solicitors;
- internal legal staff costs directly attributable to enforcement, litigation and prosecutions (to include the cost of secondees and temporary staff);
- court fees;
- costs of court proceedings;
- settlement of adverse costs; and
- specific training for staff and know-how resources.

The agreement is capped at £7.5 million per financial year.

The Information Commissioner can impose fines for not paying the data protection fee up to a maximum of £4,350 under the DPA 2018.

The Information Commissioner does not take action to enforce a civil monetary penalty unless and until:

- the period specified in the notice as to when the penalty must be paid has expired and;

- the penalty has not been paid and;
- all relevant appeals against the monetary penalty notice and any variation of it have either been decided or withdrawn and;
- the period for the data controller to appeal against the monetary penalty and any variation of it has expired.

Civil monetary penalties collected by the Information Commissioner are recognised on an accruals basis when issued. They are paid over to the Consolidated Fund, net of any early payment reduction when received. Civil monetary penalties are not recognised in the Statement of Comprehensive Net Expenditure but are treated as a receivable and payable in the Statement of Financial Position.

Under IFRS 15, the revenue through fines and penalties is recognised as the fine is the equivalent of a taxable event, the revenue can be measured reliably and it is probable that the fine will be paid. If the fines are subject to appeal, they are not recognised until the appeal process is finalised and the fine is confirmed as valid.

The amounts recognised are regularly reviewed and subsequently adjusted if a civil monetary penalty is varied, cancelled, impaired or written off as irrecoverable. Amounts are written off as irrecoverable on the receipt of legal advice. Legal fees incurred in recovering debts are currently borne by the ICO.

IFRS 9 requires determination of an amount in respect of expected credit losses, reflecting management's forward-looking assessment of the recoverability of debts. Under IFRS 9 expected credit losses within 12 months of balance sheet date are accounted for initially. If there is a significant increase in credit risk, the expected lifetime losses are recognised as appropriate. A provision for expected credit losses has been incorporated into the financial statements this year. The expected credit losses are based on those CMP cases still being investigated by the enforcement department at year-end and where there is yet to be a payment plan put in place. Historic data shows that cases with payment plans in place present very low risk and so no provision is made unless there is a failure to adhere to the plan. The estimate of expected credit losses considers the Insolvency Service estimate of recovery on non-preferential creditors. If there is a significant increase in credit risk, the expected lifetime losses are recognised.

Sundry receipts
The Information Commissioner has been directed to retain certain sundry receipts such as other legislative funding, grants, management charges, reimbursed travel expenses and recovered legal costs. This is recognised in the Statement of Comprehensive Net Expenditure as income.
The Information Commissioner has interpreted the FReM to mean that he is acting as a joint agent with DSIT, and that income not directed to be retained as Income from Activities falls outside of normal operating activities and are not reported through the Statement of Comprehensive Net Expenditure but disclosed separately within the notes to the accounts. This included receipts such as bank interest, which is paid to the Consolidated Fund.

1.6. Notional costs

The salary and pension entitlement of the Information Commissioner are paid directly from the Consolidated Fund and are included within staff costs and reversed with a corresponding credit to the General Reserve.

1.7. Pensions

Past and present employees are covered by the provisions of the Principal Civil Service Pensions Scheme.

1.8. Property, plant and equipment

Assets are classified as plant and equipment if they are intended for use on a continuing basis, and their original purchase cost, on an individual basis, is £2,000 or more, except for laptop and desktop computers, which are capitalised even when their individual cost is below £2,000. The ICO do not own property, ie land and buildings. All property is leased by the ICO from private landlords apart from the Edinburgh and London offices, which are leased from other government bodies.

Plant and equipment (excluding assets under construction) is valued under a depreciated historical cost basis as a proxy for current value in existing use or fair value for assets that have short useful lives or low values.

At each reporting date, the carrying amount of each asset will be reviewed where there is evidence of impairment in line with the accounting standard IAS 36 Impairment of Assets. If the carrying amount is less than the assets recoverable amount, then an impairment loss is recognised in the Statement of Comprehensive Net Expenditure (SoCNE).
An item of plant and equipment is derecognised in line with IAS 16, either on disposal or when no future economic benefit is expected from its use.

1.9. Depreciation

Depreciation is the charge applied to SoCNE to reduce the value of assets on the Statement of Financial Position (SoFP), to reflect the reduction in the value due to use and wear and tear.

The depreciation charge is provided on a straight-line basis to write off the cost or valuation evenly over the asset’s estimated useful economic life. It begins when the asset is made available for use.

The principal rates in use for each class of asset are:

Information technology	Between 3 and 10 years
Plant and equipment	Between 5 and 10 years
Leasehold improvements	Over remainder of the property lease
Right of use assets	Over the remainder of the lease period

Assets in the course of construction are not depreciated in line with the accounting standard IAS 16 Property, Plant and Equipment. These assets are not available for use. Assets that have been fully depreciated will remain on the Fixed Asset Register at a nil net book value when still in use.

All assets on the fixed assets register have been reviewed in line with this change in policy.

1.10. Intangible assets and amortisation

Intangible assets including computer software licences are capitalised where expenditure of £2,000 or more is incurred. All intangible assets are held at current value in existing use, which is the market value in existing use. Depreciated historical cost is used as a proxy for fair value on short life or low value assets, which is considered not to be materially different from fair value. Intangible assets are amortised over their useful economic life, which is estimated as four years or the length of the contract whichever is shorter term.

IAS 38 Intangible assets requires an intangible asset to be derecognised either on disposal or when no future economic benefit is expected from its use.

Additional guidance in April 2021 from the International Financial Reporting Interpretation Committee removed any element of judgement by providing clarity on the treatment of configuration and customisation costs regarding cloud computing arrangements. In cloud computing arrangements, the ICO does not have possession of the underlying software but has access to the use of the software.

1.11. Leases

IFRS 16 "Leases" has been implemented from 1 April 2019; this introduces a single lessee accounting model that requires a lessee to recognise a right of use asset and lease liability for all leases, except for the following:

- intangible assets;
- non-lease components of contracts where applicable;
- low value assets (these are determined to be in line with capitalisation thresholds on Property, Plant and Equipment except vehicles which have been deemed to be not of low value); and
- leases with a term of 12 months or less.

At inception of a contract, the ICO assesses whether a contract is, or contains, a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period. This includes assets for which there is no consideration. To assess whether a contract conveys the right to control the use of an identified asset, the ICO assesses whether:

- the contract involves the use of an identified asset;
- the ICO has the right to obtain substantially all of the economic benefit from the use of the asset throughout the period of use; and
- the ICO has the right to direct the use of the asset.

The policy is applied to contracts entered into, or changed, on or after 1 April 2019.

At inception, or on reassessment of a contract that contains a lease component, the group allocates the consideration in the contract to each lease component on the basis of the relative standalone prices.

The ICO assesses whether it is reasonably certain to exercise break options or extension options at the lease commencement date. The ICO reassesses this if there are significant events or changes in circumstances that were anticipated.

Right of use assets
The ICO recognises a right of use asset and a lease liability at the lease commencement date. The right of use asset is initially measured at the amount equal to the lease liability, adjusted by the amount of any prepaid or accrued lease liability (present

value of minimum lease payments), and subsequently at the amount less accumulated depreciation and impairment losses, and adjusted for certain re-measurements of the lease liability. Right of use assets are held at current cost in accordance with HMT IFRS 16 guidance. Depreciated historic cost is used as a proxy for current value as directed by HMT guidance on IFRS 16, including for property leases, because property leases are sufficiently short in term and are not expected to fluctuate significantly due to changes in market prices. Lease payments only include the direct cost of the leases and do not include other variables. Lease terms are determined based on advice from the Government Property Agency to align the business needs of the ICO to the wider government property strategy.

The right of use asset is depreciated using the straight-line method from the commencement date to the earlier of, the end of the useful life of the right of use asset, or the end of the lease term. The estimated useful lives of the right of use assets are determined on the same basis of those of property plant and equipment assets.

The group applies IAS 36 Impairment of Assets to determine whether the right of use asset is impaired and to account for any impairment loss identified.

Lease liabilities
The lease liability is initially measured at the present value of the lease payments that are not paid at the commencement date, discounted using the interest rate implicit in the lease or where that is not readily determinable, the discount rate as provided by HM Treasury.

Leases entered into:	Discount rate applicable
Prior to 31 December 2019	1.99%
After 1 January 2020	1.27%
After 1 January 2021	0.91%
After 1 January 2022	0.95%
After 1 January 2023	3.51%

The lease liability only includes the direct lease cost and excludes any service charges. The length of each lease is determined on signing the contractual terms following agreement with the landlord and after gaining permission from the Government Property Unit.
The lease payment is measured at amortised cost using the effective interest method. It is re-measured when there is a change in future lease payments arising from a change in the index or rate, if there is a change in the group’s estimates of the amount expected to be payable under a residual value guarantee, or if the group changes its assessment of whether it will exercise a purchase, extension, or termination option.

Lease payments included in the measurement of the lease liability comprise the following:

- Fixed payments, including in-substance fixed payments.
- Variable lease payments that depend on an index or a rate, initially measured using the index rate as at the commencement date. Amounts expected to be payable under a residual value guarantee.

- The exercise price under a purchase option that the group is reasonably certain to exercise, lease payments in an optional renewal period if the ICO is reasonably certain to exercise an extension option, and penalties for early termination of a lease unless the ICO is reasonably certain not to terminate early.

The lease liability is subsequently increased by the interest cost on the lease liability and decreased by lease payments made. It is re-measured when there is a change in the future lease payments arising from a change in an index or rate, a change in the estimate of the amount expected to be payable under a residual value guarantee, or as appropriate, changes in the assessment of whether a purchase or extension option is reasonably certain to be exercised or a termination option is reasonably certain not to be exercised.

When the lease liability is re-measured, a corresponding adjustment is made to the right of use asset or recorded in the SoCNE if the carrying amount of the right of use asset is zero.

1.12. Provisions

Provisions are recognised when there is a present obligation as a result of a past event where it is probable that an outflow of resources will be required to settle the obligation and a reliable estimate of the amount of the obligation can be made. These obligations are set out below:

Dilapidations
Dilapidation provisions are the anticipated future cost to return leased properties to their condition as at the commencement of the lease.

Bad debt provision
In accordance with IFRS 9 Financial Instruments, the ICO has created a bad debt provision based on an expected loss model for outstanding data protection fees.

1.13. Value added tax

The Information Commissioner is not registered for VAT as most activities of the ICO are outside the scope of VAT. VAT is charged to the relevant expenditure category. For leases VAT is excluded in the capitalised purchase cost of right to use assets and then is expensed as a finance cost.

1.14. Segmental reporting

The policy for segmental reporting is set out in Note 2 to the Financial statements.

1.15. Critical accounting estimates and judgements

The preparation of the accounts requires management to make judgements, estimates and assumptions that affect the reported amounts of assets, liabilities, income and expenditure. The resulting accounting estimates will, by definition, seldom equal the related actual results. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods. The estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year are addressed below. No other judgements have been disclosed.

Expected credit losses
The ICO applies the IRFS 9 general approach to measuring expected credit losses (ECL) which uses an expected lifetime expected loss allowance for all trade receivables. To measure the expected credit losses, trade receivable are grouped based on shared credit risk characteristics. This is known as a stage one impairment. IFRS 9 requires determination of an amount in respect of expected credit losses, reflecting management's forward-looking assessment of the recoverability of debts. The forward impairment assessment includes estimates and judgements on the likelihood of default on civil monetary penalties imposed. The quantum of these estimates and judgements is included within Notes 5 and 10. The methodology for determining the estimate provision is described in Note 1.5 above.

Sensitivity analysis
A sensitivity analysis for the expected credit loss model has been undertaken to identify the impact of any changes to the assumptions used in determining the level of impairment to be provided for. The table below identifies the two key areas of assumptions affecting the level of impairment assumed within the financial statements. The first key assumption is in relation to the recovery of fines where the payee has a payment plan set up. As these are successfully paying, no impairment is made for these fines outstanding and the table below shows that if this was incorrect by up to 35%, the impact on the financial statements would be a reduction on receivables and payables of £286k.

The second key assumption is in relation to the recovery of fines issues where the payee does not have a payment plan set up as these are impaired using a 95% assumption. If this impairment was overstated by up to 20%, the impact on the financial statements would be an increase in receivables and payables of £707k.

The tables below show the various sensitivity points up to these levels.

	£'000	Receivables £'000	Payables £'000	Net impact £'000
Statement of Financial position	24,890			
% change in the recovery of fines issued where the payee has a payment plan set up				
(Increase)/decrease in trade and other receivables	-25%	-204	-204	0
Decrease in trade payables	-30%	-245	-245	0
Non-cash movement in provisions	-35%	-286	-286	0
% change in the recovery of fines issues where the payee does not have a payment plan set up				
(Increase)/decrease in trade and other receivables	10%	353	353	0
Decrease in trade payables	15%	530	530	0
Non-cash movement in provisions	20%	707	707	0

2. Analysis of net expenditure by segment

	Data protection fee £'000	Grant-in-aid £'000	Fine retention £'000s	Other £'000	2023/24 Total £'000
Gross expenditure	76,124	6,832	3,985	332	87,273
Income	(66,176)	-	(3,985)	(332)	(70,493)
Net expenditure	9,948	6,832	-	-	16,780
	Data protection fee £'000	**Grant-in-aid £'000**	**Fine retention £'000s**	**Other £'000**	**2022/23 Total £'000**
Gross expenditure	63,676	10,298	1,648	70	75,692
Income	(65,692)	-	(1,648)	(70)	(67,410)
Net expenditure	**(2,016)**	**10,298**	**-**	**-**	**8,282**

Expenditure is classed as administrative expenditure.

The analysis above is provided for fees and charges purposes and for the purpose of IFRS 8: Operating Segments.

The expenditure segments have been analysed aligned to the ICO's main source of funding, data protection fee income, grant-in-aid, and for 2023/24 the ICO also received a grant from the Regulatory Pioneers Fund. The ICO's expenditure is reported against these three main and any other sources of income.

Funding to cover the ICO's data protection work is provided by collecting an annual registration fee from data controllers under the DPA. The data protection notification fee was set by the Secretary of State. In making any fee regulations under section 134 of the DPA 2018, as amended by paragraph 17 of Schedule 2 to FOIA, the Secretary of State had to have regard to the desirability of securing that the fees payable to the Information Commissioner were sufficient to offset the expenses incurred by the Information Commissioner, the Information Tribunal and any expenses of the Secretary of State in respect of the Commissioner of the Tribunal, and any prior deficits incurred, so far as attributable to the functions under the DPA 2018.

Grant-in-aid funding provided is utilised to fund our freedom of information (FOI) objectives under FOIA as well as the ICO's objectives for Network Infrastructure and Systems regulation (NIS), electronic identification and trust services regulation (eIDAS), Investigatory Powers Act 2016 (IPA) and funding for adequacy assessments. Grant-in-aid also provides a contribution to Pensions costs and back-office expenditure.
These accounts do not include the expenses incurred by the Information Tribunal or the Secretary of State in respect of the Information Commissioner, and therefore cannot be used to demonstrate that the data protection fees offset expenditure on data protection functions, as set out in the DPA 2018.

Other income was received from 2022/23 and onwards from civil monetary fines retained to cover the cost to the ICO of enforcement and litigation costs. Further information about the approach to retaining fines is shown in Note 1.15.

Expenditure is apportioned between the data protection and grant-in-aid work on the basis of costs recorded in the ICO's accounting system. This allocates expenditure to various cost centres across the organisation. A financial model is then applied to apportion expenditure between data protection and grant-in-aid on an actual basis, where possible, or by way of reasoned estimates where expenditure is shared.

3. Staff numbers and related costs

	Permanently employed staff **£'000**	Others **£'000**	2023/24 Total **£'000**	Permanently employed staff **£'000**	Others **£'000**	2022/23 Total **£'000**
Staff costs comprise:						
Wages and salaries	49,968	1,157	51,125	39,948	1,535	41,483
Social security costs	5,128	-	5,128	4,736	-	4,736
Other pension costs	12,715	-	12,715	10,701	-	10,701
Sub-total	**67,811**	**1,157**	**68,968**	**55,385**	**1,535**	**56,920**
Less recoveries in respect of outward secondments	(64)	-	(64)	(76)	-	(76)
Total net costs	**67,747**	**1,157**	**68,904**	**55,309**	**1,535**	**56,844**

Included in staff costs above are notional costs of £242k (2022/23: £244k) in respect of salary and pension entitlements of the Information Commissioner and the associated employer's national insurance contributions which are credited directly to the General Reserve, temporary agency staff costs of £1.157m (2022/23: £1.333m) and inward staff secondments of £265k (2022/23: £202k) as well as the amounts disclosed in the Remuneration Report.

The increase in staff costs is due to the higher than normal percentage increase in the pay rises last year (to reflect inflation and in line with the Cabinet Office guidelines) plus costs of our career progression scheme and one-off cost of living payment.

Average number of persons employed

The average number of whole-time equivalent persons employed during the year was:

	Permanently employed staff	Temporarily employed staff	2023/24 Total	Permanently employed staff	Temporarily employed staff	2022/23 Total
Directly employed	1,011.4	20.8	1,032.2	956.2	17.4	973.6
Agency staff	-	10.4	10.4	0	24.6	24.6
Total employed	**1,011.4**	**31.2**	**1,042.6**	**956.2**	**42.0**	**998.2**

Pension arrangements

The Principal Civil Service Pension Scheme (PCSPS) and the Civil Servant and Other Pension Scheme (CSOPS) – known as “alpha” – are unfunded multi-employer defined benefit schemes, but the ICO is unable to identify its share of the underlying assets and liabilities.

The scheme actuary valued the PCSPS as at 31 March 2020. Details can be found in the resource accounts of the Cabinet Office Civil Superannuation.

For 2023/24 employers contributions of £12.411m (2022/23: £10.502m) were payable to the PCSPS at one of four rates in the range 26.6% to 30.3% of pensionable pay, based on salary bands. The Scheme’s Actuary reviews employer contributions usually every four years following a full scheme valuation. The contribution rates are set to meet the cost of benefits accruing during 2023/24 to be paid when the member retires and not the benefits paid during the period to existing pensioners.

Employees can opt to open a ‘Partnership’ account, a stakeholder pension with an employer contribution. Employers’ contributions of £210k (2022/23: £18.3k), were paid to the appointed stakeholder pension provider. Employers’ contributions are age-related and range from 8% to 14.75% of pensionable pay. In addition, employer contributions of £7.3kk (2022/23: £2.9k), 0.8% of pensionable pay, were payable to the Principal Civil Service Pension Scheme to cover the cost of future provision of lump sum benefits on death in service and ill health retirement of these employees.

Contributions due to the Partnership pension provider at the Statement of Financial Position date were £nil (2022/23: £22.4k). Contributions prepaid at this date were £nil (2022/23: £nil).

It has not been possible to calculate notional employers' contributions in respect of the Information Commissioner for 2023/24 due to an exceptional delay in the calculation of pension figures, following the application of the public service pension remedy (2022/23: £44k).

One individual retired early on health grounds during the year.

4. Other expenditure

	2023/24 **£'000**	2022/23 **£'000**
Accommodation (Business rates and services)	1,452	1,045
Rentals under operating leases	124	754
Office supplies and stationery	77	211
Carriage and telecommunications	1,524	1,904
Travel and subsistence	726	453
Staff recruitment	163	528
Specialist assistance and policy research	1,807	2,498
Communications and external relations	324	322
Legal costs	3,534	957
Learning and development, health and safety	737	722
IT Service delivery costs	4,949	5,082
Business development costs	-	1,829
Finance cost on leased assets	65	55
Audit fees	47	44
Grants Fund	(50)	106
	15,479	**16,510**
Non-cash items		
Depreciation	2,317	1,888
Amortisation	462	450
Loss on disposal of assets	111	0
	2,890	**2,338**
Total expenditure	**18,369**	**18,848**

As set out in Note 1.5 the Information Commissioner can impose civil monetary penalties for serious breaches of the legislation. Legal costs in the current year reflect costs associated with the ICO's enforcement action and litigation activity and also include the development of a new regulatory action framework.

In 2023/24 certain projects were classified as business development projects. 2024/25 projects have been classified in relation to the nature of the expenditure and incorporated under the relevant expenditure category.

5. Income

5a. Income from activities

	2023/24		2022/23	
	£'000	**£'000**	**£'000**	**£'000**
DP Fees	66,176		65,692	
Sundry receipts	332		70	
		66,508		**65,762**

Sundry receipts				
Speaker fees	73		-	
Bank interest received	-		20	
Recovered legal fees	71		(2)	
Reimbursed travel expenses	2		5	
Management fee from Telephone Preference Service	14		14	
Income received from the Regulators' Pioneer Fund	168		30	
Marketing income	4		3	
Total sundry receipts		**332**		**70**
Sundry receipts retained under direction as Income from Activities		**(332)**		**(70)**

The Regulators' Pioneer fund is a regulatory fund which sponsors projects with the aim of creating a UK regulatory environment that encourages business innovation and investment.

5b. Consolidated Fund income

	2023/24		2022/23	
	£'000	**£'000**	**£'000**	**£'000**
Fees				
Collected under the DPA	66,176		65,692	
Retained under direction as Income from activities	(66,176)		(65,692)	
Civil monetary penalties - Investigations				
Penalties issued	15,648		15,270	
Early payment reductions	(71)		(1,668)	
Impairments	(13,746)		(7,621)	
Uncollectable, cancelled after successful appeals	-		(715)	
		1,831		**5,266**
Civil monetary penalties – Non-payment of fees				
Penalties issued	9		8	
Uncollectable, cancelled after successful appeals	(2)		(2)	
Impairments	-		**10**	
		7		**16**
Income payable to Consolidated Fund		**1,838**		**5,282**

Balances held at the start of the year	**6,465**		**23,360**	
Income payable to the Consolidated Fund	1,838		**5,282**	
Fines retained for ICO enforcement activity	(3,985)		**(1,648)**	
Payments to the Consolidated Fund	(1,019)		**(20,529)**	
Balances held at the end of the year including bank interest (Note 12)		**3,299**		**6,465**

As set out in Note 1.5 income payable to the Consolidated Fund does not form part of the Statement of Comprehensive Net Expenditure. Amounts retained under direction from DSIT with the consent of the Treasury are treated as income from activities within the Statement of Comprehensive Net Expenditure.

The amounts payable at 31 March 2024 were £3.299m (31 March 2023: £6.465m). In year the ICO received £1.327m (2022/23: £17.661m).

The civil monetary payment figure at the year-end date includes all civil monetary payments unpaid at that date. These include payments due to DSIT for monetary penalties, being where entities or persons or both have breached GDPR, and for payments due to DSIT for fines where entities or persons or both are found not to have registered with the ICO when they were required by GDPR to do so.

6. Property, plant and equipment

	Information technology **£'000**	Plant and equipment **£'000**	Leasehold improvements **£'000**	Assets under Construction **£'000**	Total **£'000**
Cost or valuation					
At 1 April 2023	2,225	311	3,091	-	5,627
Additions	161	71	1,244	109	1,585
Disposals	(237)	(15)	(471)	-	(723)
At 31 March 2024	**2,149**	**367**	**3,864**	**109**	**6,489**

	Information technology **£'000**	Plant and equipment **£'000**	Leasehold improvements **£'000**	Assets under Construction **£'000**	Total **£'000**
Depreciation					
At 1 April 2023	1,783	245	2,729	-	4,757
Charged in year	266	31	370	-	667
Disposals	(234)	(15)	(362)	-	(611)
At 31 March 2024	**1,815**	**261**	**2,737**	**-**	**4,813**
Net book value at 31 March 2024	**334**	**106**	**1,127**	**109**	**1,676**
Owned	**334**	**106**	**1,127**	**109**	**1,676**
Net book value at 31 March 2023	**442**	**66**	**362**	**-**	**870**

	Information technology **£'000**	Plant and equipment **£'000**	Leasehold improvements **£'000**	Total **£'000**
Cost or valuation				
At 1 April 2022	2,083	251	2,910	5,244
Additions	142	60	181	383
Disposals	-	-	-	
At 31 March 2023	**2,225**	**311**	**3,091**	**5,627**

Depreciation				
At 1 April 2022	1,453	198	2,608	4,259
Charged in year	330	47	121	498
Disposals	-	-	-	-
At 31 March 2023	**1,783**	**245**	**2,729**	**4,757**
Net book value at 31 March 2023	**442**	**66**	**362**	**870**
Owned	**442**	**66**	**362**	**870**
Net book value at 31 March 2022	**630**	**53**	**302**	**985**

Information Technology consists of IT related hardware including servers, desktop computers, keyboards, monitors and laptops.

£1,420k of IT hardware at original cost is fully depreciated and still in use (2022/23: £798k).

Plant and equipment consists of office furniture and general office equipment. £98.6k of equipment at original cost is fully depreciated and still in use (2022/23: £45.4k).

Leasehold improvements consist of refurbishment work carried out on the leased office premises. £2,508k of improvements at original cost are fully depreciated and still in use (2022/23: £2,320k).

7. Right of use assets

	Property £'000	IT equipment £'000	Total £'000
Cost or valuation			
At 1 April	6,670	835	7,505
Additions	265	-	265
Disposals	(1,626)	-	(1,626)
At 31 March 2024	**5,309**	**835**	**6,144**
Depreciation			
At 1 April	2,781	139	2,920
Charged in year	1,440	209	1,649
Disposals	(1,626)	-	(1,626)
At 31 March 2024	**2,595**	**348**	**2,943**
Net book value at 31 March 2024	**2,714**	**487**	**3,201**
Asset financing			
Leased under IFRS 16	2,714	487	3,201

	Property £'000	IT equipment £'000	Total £'000
Cost or valuation			
At 1 April	7,021	-	7,021
Additions	1,624	835	2,459
Adjustments*	59	-	59
Disposals	(2,034)	-	(2,034)
At 31 March 2023	**6,670**	**835**	**7,505**
Depreciation			
At 1 April	3,564	-	3,564
Charged in year	1,251	139	1,390
Disposals	(2,034)	-	(2,034)
At 31 March 2023	**2,781**	**139**	**2,920**
Net book value at 31 March 2023	**3,889**	**696**	**4,585**
Asset financing			
Leased under IFRS 16	3,889	696	4,585

Right of use assets consist of eight office leases plus a car park lease and a lease for laptops. During the year there were 3 office lease disposals and 2 new office lease additions.

8. Intangible assets

	Software licences £'000	Assets under construction £'000	Total £'000
Cost or valuation			
At 1 April 2023	5,789	5	5,794
Additions	18	330	348
Transfers	5	(5)	-
Disposals	(40)	-	(40)
At 31 March 2024	**5,772**	**330**	**6,102**
Amortisation			
At 1 April 2023	4,330	-	4,330
Charged in year	462	-	462
Disposals	(39)	-	(39)
At 31 March 2024	**4,753**	**-**	**4,753**
Net book value at 31 March 2024	**1,019**	**330**	**1,349**
Asset financing			
Owned	1,019	330	1,349
Net book value at 31 March 2024	**1,019**	**330**	**1,349**

	Software licences £'000	Assets under construction £'000	Total £'000
Cost or valuation			
At 1 April 2022	4,377	351	4,728
Additions	603	514	1,117
Transfers	860	(860)	-
Disposals	(51)	-	(51)
At 31 March 2023	**5,789**	**5**	**5,794**
Amortisation			
At 1 April 2022	3,931	-	3,931
Charged in year	450	-	450
Disposals	(51)	-	(51)
At 31 March 2023	**4,330**	**-**	**4,330**
Net book value at 31 March 2023	**1,459**	**5**	**1,464**
Asset financing			
Owned	1,459	5	1,464
Net book value at 31 March 2023	**1,459**	**5**	**1,464**

9. Financial instruments

As the cash requirements of the Information Commissioner are met through fees collected under the DPA 2018 and grant-in-aid provided by the DSIT, financial instruments play a more limited role in creating and managing risk than would apply to a non-public sector body. The ICO does hold material cash balances on deposit. The movement in retained funds is detailed in Note 11 and included in the cash balance on the Statement of Financial Position. The ICO has no loans and does not use financial instruments to make investments. The financial instruments used relate to contracts to buy non-financial items in line with the ICO's expected purchase and usage requirements and the ICO is therefore exposed to little credit, liquidity or market risk. The credit risk connected to civil monetary penalties is deemed to be low risk to the ICO. A lifetime impairment model of expected loss is used in valuing all debtors to the ICO.

10. Trade receivables and other current assets

		31 March 2024 £'000		31 March 2023 £'000
Amounts falling due within one year:				
Trade debtors		170		108
Prepayments and accrued income		1,697		1,422
Sub-total		1,867		1,530
Consolidated Fund receipts due	14,776		12,922	
Less: amounts impaired (Note 5b)	(13,746)		(7,611)	
Other	(30)		6	
Total amounts due from consolidated fund		1,000		5,317
		2,867		6,847
Consolidated Fund receipts due		-		197
		-		197
		2,867		7,044

The receipts due to the Consolidated Fund relate to monetary penalties and fines that have been levied against entities or persons or both at 31 March 2024 but are yet to be received by the ICO. The ICO collects these monies on behalf of the Consolidated Fund and then passes these payments on. This creates a resulting amount payable detailed in Note 12: Trade payables and other current liabilities.

11. Cash and cash equivalents

	31 March 2024 £'000	31 March 2023 £'000
Balance at 1 April	17,820	20,721
Net change in cash and cash equivalent balances	(9,301)	(2,901)
Balance at 31 March	8,519	17,820
Split		
Commercial banks and cash in hand	8,518	6,346
Government Banking Service	1	11,474
	8,519	17,820

12. Trade payables and other current liabilities

	31 March 2024 £'000	31 March 2023 £'000
Amounts falling due within one year:		
Taxation and social security	1,399	1,281
Trade payables	1,286	1,255
Other payables	2,105	2,722
Accruals and deferred income	1,297	674
Sub-total	6,087	5,932
Amount payable to consolidated fund (note 5b)	3,299	6,268
	9,386	12,200
Amounts falling due within one year:		
Taxation and social security	-	-
Trade payables	-	-
Other payables	-	-
Accruals and deferred income	-	-
Sub-total	-	-
Amount payable to consolidated fund (note 5b)	-	197
	9,386	**12,397**

The amount payable to the sponsor department represents the amount which will be due to be paid to the Consolidated Fund when all of the income due from monetary penalties and fines is collected. The payable value is larger than receivables detailed in Note 10: Trade receivables and other current assets due to timing differences of the ICO collecting the monies and paying to the consolidated fund.

13. Provision for liabilities and charges

	Bad debt re trade debtors	Dilapidations	ECL allowance	Total
	2023/24 £'000	2023/24 £'000	2023/24 £'000	2023/24 £'000
Balance at 1 April 2023	32	1,085	3	1,120
Provided in year	-	300	-	300
Provision utilised in year	-	(554)	-	(554)
Balance at 31 March 2024	**32**	**831**	**3**	**866**

	Bad debt re trade debtors	Dilapidations	ECL allowance	Total
	2022/23 £'000	2022/23 £'000	2022/23 £'000	2022/23 £'000
Balance at 1 April 2022	-	993	3	996
Provided in year	32	92	-	124
Provision utilised in year	-	-	-	-
Balance at 31 March 2023	**32**	**1,085**	**3**	**1,120**

Analysis of expected timing of discounted flow:

	Dilapidations		Bad debt		Total	
	2023/24 £'000	2022/23 £'000	2023/24 £'000	2022/23 £'000	2023/24 £'000	2022/23 £'000
Not later than one year	-	-	35	35	35	35
Later than one year and not later than five years	831	1,085	-	-	831	1,085
Later than five years	-	-	-	-	-	-
Balance at 31 March	**831**	**1,085**	**35**	**35**	**866**	**1,120**

Dilapidations' provision

The ICO makes provision throughout the course of occupying leased premises for the estimated costs of addressing dilapidations at the end of the lease where the expected costs are considered significant. Professional advice is sought in making these assessments as considered appropriate.

14. Lease liabilities

Maturity analysis – contractual undiscounted cashflows	31 March 2024 **£'000**	31 March 2023 **£'000**
Not later than one year	1,419	1,454
Later than one year and not later than five years	2,180	3,345
Later than five years	-	-
	3,599	4,799
Lease liabilities included in the balance sheet		
Current	1,419	1,454
Non-current	2,180	3,345
	3,599	4,799
Movement in lease during the year		
As at start of financial year	4,799	3,594
Interest charged to the income statement	65	55
Adjustments in prior year	-	75
Lease liability in relation to new leases	265	2,459
Lease rental payments	(1,530)	(1,234)
At end of financial year	3,599	4,799

15. Capital commitments

There were no capital commitments in the year ended 31 March 2024 (2022/23: £0).

16. Commitments under operating leases

The 2023/24 presentation under IFRS 16 Leases includes all leases on balance sheet as right of use assets with a corresponding lease liability, other than leases which are short leases (terms of 12 months or less) or low value leases (asset value of less than £5,000). Leases that qualify for these exemptions are included within the disclosure below for 2023/24.

17. Related party transactions

The Information Commissioner confirms that he had no personal business interests which conflict with his responsibilities as Information Commissioner.

During the financial year 2023/24, DSIT was a related party to the Information Commissioner. During the year no related party transactions were entered into, with the exception of providing the Information Commissioner with grant-in-aid, other funding and the appropriation-in-aid of Civil Monetary Penalty.

In addition, the Information Commissioner has had various material transactions with other central government bodies, most of these transactions have been with the Principal Civil Service Pension Scheme (PCSPS). For list of transactions see Remuneration and Staff Report. None of the key managerial staff or other related parties has undertaken any material transaction with the Information Commissioner during the year.

18. Contingent liabilities

There are no material contingent liabilities at 31 March 2024 (31 March 2023: none).

19. Events after the reporting period

There were no events between the Statement of Financial Position date and the date that the Accounting Officer authorised the accounts for issue, which is the date of the Certificate and Report of the Comptroller and Auditor General. The accounts do not reflect events after this date.

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