

Risk Register

No.	Date raised	Risk Number	Risk description	Risk Appetite area	Risk appetite	Current Probability	Current Impact	Current Overall priority	Direction	Target Probability	Target Impact	Target Overall Priority
1	01/04/17	R4	Capacity and Capability: (Cause) Risk that increasing demand, public and stakeholder expectations, and/or additional unplanned work and/or reduced availability of staff results in (Threat) key resources being overstretched and having insufficient capacity, capability, knowledge and/or skills to deliver all business plan requirements, (Impact) resulting in business operational issues and pinch points, possible failure to deliver regulatory priority activities and impacting upon the ICO's ability to deliver all of its intended objectives and outcomes.	Infrastructure and resources	Open	5	4	20	Same ↔	3	3	9
2	06/04/20	R84	Major Incident: (Cause) Risk that an internal or external major incident occurs (e.g. extreme weather, fire incident, chemical incident, pandemic (e.g. Covid-19), or deliberate incidents such as terrorist acts) which renders the ICO unable to utilise part or all of its resources and infrastructure (such as staff, buildings, IT systems etc) such that (Threat) the ICO is unable to deliver some, or in extreme cases all of its regulation services, (Impact) increasing public information rights risk for a period of time and resulting in a reduced achievement of the IRSP Goals over the longer period.	Infrastructure and resources	Open	4	3	12	Same ↔	4	3	12

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3	08/12/20	R90	Regulatory Action: (Cause) We do not effectively take account of pertinent aspects of a case, have flawed or ineffective processes and/or decision-making that mean (threat) we take disproportionate, inappropriate, or no action against an organisation (impact) which allows poor information rights practices to continue and/or proliferate and damages the ICO’s credibility as a regulator to enforce the laws, increase the public’s trust and confidence in how data is used, and maintain and develop influence within the information rights regulatory community.	Regulatory enforcement and intervention	Cautious	4	3	12	Same ↔	3	2	6
4	30/07/18	R46	Financial Resilience: (Cause) Risk that sensitivities in the income growth and expenditure forecast (threat) create inaccurate financial forecasting and planning assumptions (impact) leading to insufficient funding or over-funding and financial stress and impacting the ICO’s reputation, its ability to meet its statutory requirements, and full delivery of all of its intended IRSP goals and outcomes.	Infrastructure and resources	Open	3	4	12	Down ↓	2	3	6

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5	06/04/20	R83	Staff Wellbeing and Welfare: (Cause) Risk that the ongoing pandemic and lockdown arrangements have a detrimental impact upon the physical, emotional and mental wellbeing of staff such that (threat) capacity may be reduced, as staff are less engaged or able to perform at their best at a time of increasing demand resulting in (impact) possible business operational issues and pinch points with possible failure to deliver priority activities to expected levels.	Organisational change and development	Open	3	4	12	Down ↓	2	2	4
6	27/11/18	R61	Litigation Resource: (Cause) Risk that multiple or a single significant legal challenge or trend emerges (Threat) diverting significant financial and non-financial resources into possibly lengthy legal disputes (Impact) impacting upon the ICO's ability to legally defend itself which could have a domino effect on its decision making, its financial resilience, its reputation as an effective regulator and diluting its operational ability to achieve all of its IRSP goals.	Infrastructure and resources	Open	3	4	12	Same ↔	2	2	4
7	07/07/20	R88	Future role and structure of the ICO: (Cause) Government led reviews of the role of the future data protection regulatory framework, and of the ICO's role, governance and remit, or internally-driven organisational restructures, (Threat) lead to organisational and stakeholder uncertainty or staff change fatigue (Impact) impeding the ability of the ICO to regulate with maximum efficiency and effectiveness and deliver all of its strategic objectives and priorities	Organisational change and development	Open	3	4	12	Same ↔	2	3	6

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8	08/03/19	R72	SMEs: (Cause) Risk that the ICO does not sufficiently recognise and act on the needs of small organisations such that the ICO (Threat) does not provide SMEs with value for money relevant services resulting in (impact) low levels or awareness, poor trust and information rights practices from SMEs impacting upon the ICO's delivery of the IRSP goals around increasing public trust and confidence, improving standards of practice and being an effective regulator.	Regulatory guidance and strategy	Open	3	4	12	Same ↔	2	3	6
9	14/09/20	R89	Compensation: (Cause) The ICO is unable to award compensation to complainants unlike other ombudsman services. As a consequence, (Threat) consumers go to an ombudsman scheme where compensation can be awarded, (impact) so the ICO is not seen as a relevant regulator and fails to capture data about these breaches.	Reputational	Cautious	4	3	12	Same ↔	2	2	4
10	06/04/20	R85	Managing ICO Reputation: (C) Risk that decisions are taken without giving due consideration to the strategic reputational impact on the ICO (T) such that action is not taken at the right time to proactively and effectively manage the reputation of the ICO (I) impacting upon the ICO's ability to increase public trust and confidence, provide excellent public service and to demonstrate that it is an effective and knowledgeable regulator.	Reputational	Cautious	3	4	12	Same ↔	2	3	6

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11	30/04/19	R73	Compliance culture: (Cause) Risk that the ICO does not have sufficient compliance infrastructure and accountability culture to (Threat) ensure that the ICO is aware of, and complies with, legal and other obligations expected of a modern regulator (Impact) risking legal challenge and impacting upon its ability to maintain and increase public trust and be seen as an effective and knowledgeable regulator	Organisational controls and compliance	Cautious	3	3	9	Down ↓	2	3	6
12	08/12/20	R91	Targeted Regulatory Activity: (Cause) we do not have effective processes and practices in place to take a robust risk-based prioritisation approach to our regulatory work (threat) so we do not target our work to the most important and impactful areas of harm (impact) meaning that we miss opportunities to correct poor information rights practices and our regulatory work does not effectively align to deliver all of the IRSP goals.	Regulatory evaluation	Cautious	3	3	9	Same ↔	3	2	6

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13	02/09/19	R81	Management Board Resilience: (cause) Management Board and Executive Team capacity and resilience (threat) may not be sufficient to retain clarity of leadership and direction during a critical period of change to the regulatory landscape (impact) resulting in delay to the achievement of the IRSP goals and operational, regulatory and organisational priorities	Staff recruitment, retention and development	Averse	3	3	9	Same ↔	2	2	4
14	12/08/21	R93	Online Safety: (Cause) Overlap between the Online Safety Bill and the data protection regime could (risk) create confusion and diminish the ICO’s role as the information rights regulator which (Impact) making makes it more challenging for the ICO to regulate and achieve its IRSP goals and outcomes, in particular enforcing the laws we help to shape and oversee and improving information rights practice.	Reputational	Cautious	3	3	9	New	2	2	4
15	15/06/20	R87	International position: (Cause) The uncertain global context in which ICO operates (in particular the UK’s future global relationships with and outside the EU and implications of the Covid19 pandemic) lead to (threat) the ICO failing to develop and maintain effective international relationships or effectively deliver aspects of its domestic regulatory role, thereby reducing opportunities to develop global collaborative DP approaches on policy, tech and interoperability and (Impact) meaning the ICO is unable to maintain and develop influence within the global information rights regulatory community, increase public trust and confidence and improve standards of information rights.	Reputational	Cautious	2	4	8	Down ↓	2	3	6

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16	22/09/18	R26	Improving Productivity: (Cause) Risk that growth in the ICO’s investment in infrastructure, people and process resources (Threat) is not effectively utilised to reduce contradictory and duplication of efforts, minimise delivery gaps, exploit new business models and maximise best use of ICO resources such that (Impact) whilst the ICO grows it does not improve efficiency and productivity and is no better placed to achieve the ICO’s IRSP goals and corporate outcomes.	Organisational change and development	Open	3	2	6	Same ↔	2	2	4
17	01/04/18	R21	Cyber Security: (Cause) Risk that although the ICO is continuously vigilant with its cyber security controls that as the ICO’s profile increases and it innovates with new technology systems, (Threat) it becomes increasingly at risk of a security breach, either malicious or inadvertent from within the organisation or from external attacks by cyber-criminals. (Impact) This could result in many negative impacts, such as distress to individuals, legal, financial and serious reputational damage to the ICO, possible penetration and crippling of the ICO’s IT systems preventing it from delivering its regulatory functions and IRSP goals	Security	Averse	2	3	6	Same ↔	2	4	8
18	22/07/21	R92	ICO Guidance: (Cause) Increasing expectations from government and other stakeholders to produce guidance that is research led and evidenced based, with full economic analysis and formal consultation, while being concise and audience targeted, leads to (threat) an increased resource demand or inability to manage stakeholder expectations for regulatory guidance (impact) damaging the ICO’s reputation and relevance as a regulator to deliver across all stakeholders, decreasing its reputation with government, public trust, influence and effectiveness	Regulatory guidance and strategy	Open	3	2	6	New	3	2	6

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19	06/04/20	R86	<p>Political and Economic Environment: (Cause) Risk that the ICO doesn't have the plans or the ability to respond to changes in the economic climate, government policy or to government attitudes and reviews, meaning that the ICO doesn't (Threat) adapt and flex quickly enough or in the right way to meet changing stakeholder views and needs (Impact) preventing the achievement of the IRSP goal to be an effective and efficient regulator.</p>	Regulatory guidance and strategy	Open	2	3	6	Same ↔	1	1	1
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Opportunity Register

No.	Date raised	Opportunity Number	Opportunity description	Risk Appetite area	Risk appetite	Current Probability	Current Impact	Current Overall priority	Direction	Target Probability	Target Impact	Target Overall Priority
1	28/06/17	O3	Expectations Gap: (Cause) Opportunity to ensure that there is a mutual stakeholder and ICO understanding and recognition of the ICO's responsibilities and ability to deliver, (Opportunity) preventing an expectations gap between expected and actual ICO regulatory action; such that we (Impact) improve public trust, confidence and perception of the ICO's effectiveness in its aim to enforce the laws we help shape and oversee.	Regulatory enforcement	Cautious	2	2	4	Same ↔	3	3	9
2	30/06/17	O2	Service Excellence: (Cause) To better understand customer and stakeholder needs and create aspiring leadership and staff engagement to (Opportunity) build a service excellence culture resulting in an improved, reliable and responsive customer service, (Impact) enabling the ICO to better deliver all of its IRSP goals, improve public perception and provide excellent public service as a regulator.	Organisational change and development	Open	3	2	6	Same ↔	3	3	9

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3	19/02/19	O71	Online Safety: The ICO does not successfully inform the future regulation of Online Safety which undermines its role as the UK's information rights regulator (Cause) Research and work with key partners and other regulators presents an opportunity (Opportunity) for co-production and influencing the future regulation of Online Safety which (Impact) assists the ICO with the achievement of all of the IRSP goals and outcomes in particular enforcing the laws we help to shape and oversee and improving information rights practice.	Reputational	Cautious	4	3	12	Down ↓	4	4	16