

Audit and Risk Committee

Report title: Annual report and accounts 2024/25

Meeting date: 16 June 2025

Time required: 10 minutes

Presenter: Louise Byers

RAPID Role: Recommend

Publication decision: Covering report can be published internally and externally. The annual report will be published separately once finalised.

Decision requested

The Annual Report and Accounts 2024/25 is provided at Annex 1 for approval (circulated under separate cover). This has been updated since the draft version which was circulated to the Management Board in May for consideration by email, in line with comments received from the Board. It has also been updated to reflect the findings of the internal and external audits.

The Committee is asked to review the report and recommend in principle that the Commissioner sign it on or around 7 July, subject to receiving the necessary MyCSP disclosures, and assuming there are no post Balance Sheet events that need to be disclosed between the date of the meeting and the signing date.

Formal approval for the Commissioner to sign the annual report will be sought from the Committee by email on or around 4 July, once information has been received from MyCSP and this information has been reviewed and signed off by the external auditors.

Key outstanding issues

At present there is two outstanding issues which prevent the Committee from being asked to fully recommend that the Commissioner sign the annual report, both relating to pensions information. The first is information regarding the pensions benefits accrued by the Commissioner and executive members of Management Board during 2024/25. We had

initially expected to receive this information from MyCSP on or around 9 June. However, we have now been informed that we will receive this information on 27 June.

This delay is not caused by the same issue (the McCloud judgement) which prevented pensions information being included in the 2023/24 annual report. It is simply a change in the dates when MyCSP will provide the information, which is due to MyCSP ensuring that they can provide information for all organisations who lay their annual reports and accounts prior to the summer recess.

The second issue is the Commissioner's pensions benefits accrued for 2023/24, which is required as the prior year comparator for his 2024/25 information. When MyCSP provided 2023/24 pensions information to us in September 2024, the Commissioner's pensions benefits accrued was not included in this information. We have been chasing MyCSP for this information, but as yet we have not yet received this information and have raised this concern with NAO.

There is also a risk that when MyCSP provides the 2024/25 pensions information, it only provides the pensions information for Executive Directors and not for the Commissioner. We have also raised this concern with MyCSP and NAO to ensure all required information is provided for 2024/25.

In addition, now that the Data (Use and Access) Bill has passed through Parliament we will need to update references to the date of this receiving Royal Assent, once this date is known.

As well as this content adding into the report, we are in the process of creating the "designed" version of the annual report. At present, the first 20 pages of this have been completed and these have been provided to the Committee at Annex 2 as an indication of how the final annual report will look. We expect this design process to be completed in the next week or so and will present this version of the report presented to the Committee for final approval in July, per the next section of the report.

Planned timetable for the laying of the accounts

Once we receive the pensions information from MyCSP, we expect this to be added into the annual report and signed off by external audit by 4 July. Once that is confirmed, we will contact the Committee by email on or around 4 July to provide them with the final annual report and request that they recommend to the Commissioner that he sign the annual report and submit it for certification.

The Commissioner (as the ICO's Accounting Officer) is planning to sign the report on or around 7 July. It will then be sent to the National Audit Office for the Comptroller and Auditor General's review and certification by around 11 July. Once certified, the report will be laid in Parliament on 14 July.

Should there be any post Balance Sheet events or any significant deviation from the proposed signing date or laying date, members of the Committee will be contacted to ask them to re-confirm the recommendation to the Commissioner to sign the report.

Judgements, estimates and valuations

As part of the annual report lessons learned exercised and Audit and Risk Committee effectiveness review during 2022, the Committee requested that it be provided with information of any judgements, estimates or valuations made during production of the annual report and accounts.

As with the 2023/24 report, for the 2024/25 annual report and accounts the key judgement of note is in relation to the Expected Credit Loss for the civil monetary penalties. This is set out at note 1.15 of the Annual Report and Accounts.

Author: Chris Braithwaite

Reviewers: Louise Byers, Angela Donaldson, Mark Graves

Sign off: Jen Green

List of annexes: Annex 1 – Annual report and accounts 2024/25 (under separate cover)

Annex 2 – Designed version of Annual report and accounts 2024/25 (first 20 pages)