

Audit and Risk Committee and Management Board

Report title: Draft Annual Report and Financial Statements
2025/26

Meeting date: 26 March 2026 (ARC) and 30 March (Management Board)

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.

Problem Statement

How might we ensure that the Audit and Risk Committee and Management Board have the opportunity to scrutinise the draft Annual Report and Financial Statements 2025/26, prior to the year end and anticipated governance transition.

Input and decision requested

The draft Annual Report and Financial Statements 2025/26 is provided at Annex 1 for approval (to be circulated separately). This includes all relevant information available prior to the year end.

The Committee and Board are requested to review the draft document and provide any comments or amendments to Corporate Governance, particularly in terms of any areas for significant addition or change, or to identify any areas which would be expected to be included but have been overlooked. Comments are welcomed either in the meeting or via email following the meeting.

The Committee and Board are also asked to review the report, and provide assurance to the Information Commission that the draft document reflects the known activities and position of the ICO for the year to date

and that the Directors statement is accurate at the time of their respective meetings.

Judgements, estimates and valuations

As part of the annual report lessons learned exercise 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 in previous years, for the 2025/26 Annual Report and Financial Statements 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 Financial Statements.

Summary of attached document

The key points to bring to the Committee's and Board's attention are:

- The skeleton template of the document at Annex 1 (without any 2025/26 information) was submitted to the auditors for review during the interim audit in January.
- 2024/25 information on the Information Commissioner's pension had not been provided at the time of the publication of last year's Annual Report and Financial Statements, but was subsequently provided by MyCSP. This figure is shown as a comparative figure in Annex 1 and will be audited in May.
- As much 2025/26 information as possible has now been added to Annex 1, but all year-end figures are outstanding at this point.
- As part of the creation of Annex 1, we have reviewed [the NAO's disclosure checklists](#) for previous years to ensure that all relevant disclosures are included within the Annual Report and Financial Statements. We are awaiting the publication of the 2025/26 checklists (which are usually issued at some point in March or April). The completed 2025/26 checklists will be shared with Deloitte and NAO as part of the final audit in May.
- 2025/26 pensions information has been requested from Capita.
- While Annex 1 covers the period 1 April 2025 to 31 March 2026, there are parts of the document which are required to report on the position up to the date the report is laid in Parliament. Therefore, some parts of the report are longer than in previous years (particularly the governance statement in Part B) as we effectively

have to report twice on these matters: first on the situation up to 31 March 2026, and then on the situation between 1 April 2026 and the date of laying the report.

- The Directors' statement reads as follows:
"At 31 March 2026, the ICO's leadership team consists of the Information Commissioner, two executive directors and seven non-executive directors. Each of these people at the time that 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."

The Committee and Board are asked to confirm whether they agree with this statement at the date of their respective meetings.

- To support the finalisation of the 2025/26 Annual Report and Financial Statements during the period of governance transition, the Chair of Audit and Risk Committee (Ailsa Beaton) and Independent Audit and Risk Committee member (Jayne Scott) will be retained as consultants between 1 April 2026 and 31 July 2026 to provide continued experience, expertise and support to the executive, Information Commission Board and the new Audit and Risk Committee.

Next steps

Assuming that governance transition takes place as planned, the Information Commission will be responsible for the finalisation of the 2025/26 Annual Report and Financial Statements.

The next steps for this work are:

- Updating the draft Annual Report and Financial Statements 2025/26 to reflect any comments from the Committee or Board, and to include all year-end information.
- The updated draft of the 2025/26 Annual Report and Financial Statements (including year end figures) will be shared with the external auditors on 5 May, to assist with their audit.
- A final version of the Annual Report and Financial Statements 2025/26 will be shared with the Information Commission's Audit

and Risk Committee on 18 June and with the Information Commission Board on 23 June - for review and recommendation for the Accounting Officer to sign the report and submit to the NAO for certification.

- The Chief Executive Officer (as the Information Commission's Accounting Officer) is planning to sign the report on or around 25 June. It will then be sent to the National Audit Office for the Comptroller and Auditor General's review and certification around 2 July. Once certified, the report will be laid in Parliament around 3 July (before the parliamentary recess starts on 16 July).

Author: Chris Braithwaite

Reviewers: Ruby Qayyum, Janine Rollings

Sign off: Louise Byers

List of annexes: Annex 1 – draft Annual Report and Financial Statements 2025/26 (under separate cover)