

Management Board minutes

16 September 2024

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

1. Introductions and apologies

1.1. No apologies were received.

2. Declarations of interests

2.1. David Cooke provided an update on the extension of his professorship at Lincoln University for another 3 years.

3. Matters arising from the previous meeting

Minutes

3.1. The minutes of the May Management Board meeting had been approved as a correct record.

Actions

3.2. The Board noted that there were no additional updates to the action board.

4. Discussion items

4.1. People Survey Results

4.1.1. Jen Green presented a report setting out the results of the recent all staff survey. The Executive Team (ET) were keen to gain insights from members of the Board on their views of the results and potential next steps. ET assured the Board of their commitment to acting on the results of the survey.

4.1.2. The results will be shared by Executive Directorate as well as being discussed at the all staff ET briefing on 17 September. Immediate actions that ET have already committed to undertaking include improvements to visibility, communications and clarity on decisions and the reasons for them.

4.1.3. The Board discussed a number of aspects of the results including the need for more understanding on whether the recruitment freeze had impacted on the results around

career development. It was acknowledged that the pause on recruitment may have had an impact on development pathways which had previously been available.

- 4.1.4. The Board stressed the importance of involving Managers in leading the response as a critical link between the Executive Team and the wider organisation.
- 4.1.5. The Board also considered the positive results around the overall response rate, the high appetite for staff to become more involved in change, and the views on collaboration and work life balance.
- 4.1.6. It was confirmed that the results would provide a benchmark for making improvements moving forward and the survey will be completed on an annual basis, with the potential for pulse surveys to be undertaken throughout the year as necessary.

4.2. Legislation Reform Update

- 4.2.1. Emily Keaney provided an oral update to the Board on recent developments with the legislation reform. She confirmed that the new Bill was expected to be introduced into Parliament by the end of October.
- 4.2.2. Discussions continue with colleagues at DSIT to finalise the Bill and the governance for potential new legislation including NIS and AI was being reviewed internally.
- 4.2.3. Updates will be provided to the Board once the Bill has been finalised, likely at the November meeting.

4.3. Fee Review Update

- 4.3.1. Paul Arnold provided an oral update to the Board and confirmed that the DSIT consultation on the funding model review has been launched and the ICO has provided its response.
- 4.3.2. It was also confirmed that the Treasury has agreed to provide additional Grant in Aid funding to offset the impact of the General Election and the resulting delay to the launch of the funding review.
- 4.3.3. It is anticipated that DIST will make any amendments needed to the fee model, in line with the consultation feedback, by the end of March 2025.

4.4. Modern Slavery Statement

- 4.4.1. Jen Green presented the report requesting the Board's approval for publication of our Modern Slavery Statement and confirmed that the statement had previously been considered by the EDI Board and People Committee.
- 4.4.2. The Board were assured that our procurement process ensures that third party suppliers should also have policies in place where necessary relating to modern slavery. It was also confirmed that our Whistleblowing Policy ensures that third party staff working within the ICO are also able raise issues to the ICO.

Decision

- 4.4.3. The Board agreed to adopt the Modern Slavery Statement and approved its publication.

4.5. Annual Board Effectiveness Review Update

- 4.5.1. Louise Byers presented a report setting out the progress made with the actions identified from the annual Board effectiveness review.
- 4.5.2. There were no issues raised.

5. Performance reports

5.1. Management Board Scorecard and Impact Reporting (Q1)

- 5.1.1. Jen Green presented the scorecard outlining the data and commentary for quarter one together with the outputs of the new impact reporting. The reports provide a more complete picture of our performance over the quarter and will be combined for future meetings.
- 5.1.2. The Board discussed the initiatives currently being implemented to enhance frontline services including the current response times for answering calls and connecting to the chat function. It was confirmed that the industry standard is within two to three minutes. Our KPI is currently within 60 seconds.
- 5.1.3. The Board considered the possible reasons for increased enquiries in the customer complaints field and whether it is caused by repeat chasers about an existing complaint or new customers. It was confirmed that the awareness work recently undertaken has resulted in increased enquiries.

There is also work currently being undertaken to automate initial enquiries which will make the process more efficient.

- 5.1.4. The Board was advised that a new customer satisfaction survey was currently being trialled at certain points in the customer journey. The scores are currently around 7.5/8 out of 10. This practice is being moved into business as usual and is in addition to the insight gained through the Institute of Customer Services annual survey.
- 5.1.5. The Board considered whether ongoing demand could put additional pressure on performance in those areas that are currently off target and discussed the different measures being put in place to bring the KPIs within target. They were assured that in addition to the planned automation of some processes, there would always be an accessible channel available to customers who don't have access to our website.

Portfolio Oversight Report

- 5.1.6. Rob Holtom presented a report setting out performance on the five enduring programmes that were set up at the beginning of the year. The Dashboard is presented to the Delivery Group at each meeting.
- 5.1.7. The Board noted that the performance data outlined in the dashboard was stable due to the dashboard being new and only the second one to be produced. It is expected that there will be change shown in future reports.

ACTION: Rob Holtom to review and simplify the language used in the report. Due date: 18/11/2024

6. Finance

6.1. Month income and expenditure report

- 6.1.1. The Board acknowledged that discussions relating to finance were covered in the Fee Review update earlier in the meeting. They were assured by the 'going concern' commitment from DSIT provided to the ICO as part of the annual financial statements.

7. Updates from Committees

Audit and Risk Committee

- 7.1. Ailsa Beaton provided an oral update on the matters considered by the Audit & Risk Committee (ARC) at the meeting on 20 June 2024.
- 7.2. The Committee received the internal and external audit reports following year end. The Committee was grateful to all the teams who contributed, both internal and external, as the work was completed on time this year and enabled the Annual Report and Accounts to be laid on time. The Committee had made the recommendation to sign the accounts without any issues.
- 7.3. The Committee also considered a 6-month update on Business Continuity and cyber and were comfortable that both were being managed appropriately. There was also consideration of the internal audit plan for next year, which was at an early stage.
- 7.4. At the pre-meeting with the internal and external auditors, there had been discussion about the Post Office inquiry and in particular, their NED's knowledge relating to the events that transpired. A lessons learned report is being prepared following the public enquiry, and it was agreed that ARC would review any recommendations or lessons learned from that report to ensure that all good practice was being followed. It was stressed that there were no concerns in relation to the ICO.

People Committee

- 7.5. Jane McCall provided an oral update on matters considered by the People Committee at its meetings on 5 July 2024 and 4 September 2024.
- 7.6. In the July meeting, the Committee considered the people risks and outcomes of a deep dive into Employee Relation cases. This was carried out by an external consultant and the Committee were assured by the finding that bias was not evident as a factor in these cases. In addition, assurances were provided on progress with the people aspects of the high performance measures.
- 7.7. The September meeting considered the pay remit and it was confirmed that formal consultation with the Unions will be commencing later in September.
- 7.8. It was confirmed that the pay strategy and a deep dive into the results of the people survey will be considered at the November meeting.

Regulatory Committee

- 7.9. John Edwards provided an oral update on matters considered by the Regulatory Committee at its meeting on 5 September.
- 7.10. The Committee discussed a wide range of topics, including updates on the ICO's current supervision, policy and litigation work, as well as the ongoing Better Regulatory Interventions programme.
- 7.11. The Committee noted the breadth of the work being undertaken by the teams, in particular in the Regulatory Policy area, and the need to continue the work to build a culture of curiosity, agility and pace. In particular, the Committee discussed the ICO's causes, as well as developments in the wider regulatory landscape including Ofcom's online safety work.
- 7.12. The Committee noted the importance of the work on impact measurements, and the benefits of sharing this more widely in the regulatory community. Recent legislative developments, and the possibility of a new data Bill, were also discussed.

8. Any other business

Heading 1

- 8.1. The recent CrowdStrike event was discussed and the Board were assured that work was being undertaken to ensure that the ICO has in place, and tests, processes to handle such an issue.
- 8.2. On the regulatory side, proactive work was carried out with external customers to provide support to those affected.

Attendance

Members

Ailsa Beaton OBE	Non-executive Director
David Cooke	Non-executive Director
Emily Keaney	Deputy Commissioner (Regulatory Policy)
Jane McCall	Non-executive Director
Jeannette Lichner	Non-executive Director
John Edwards (Chair)	Information Commissioner
Nicola Wood MBE	Senior Independent Director
Paul Arnold MBE	Deputy CEO and Chief Operating Officer

Ranil Boteju
Stephen Bonner

Non-executive Director
Deputy Commissioner (Regulatory
Supervision)

Tracey Waltho

Non-executive Director

Attendees

Ange Balakrishnan

Executive Director, Strategic
Communications and Public Affairs

Claudia Berg

General Counsel

Jen Green

Executive Director, Strategy and Resources

Louise Byers

Director of Risk & Governance

Louise Locke

Executive Director, Customer Services

Rob Holtom

Executive Director, Digital, Data, Technology
(DDaT), Transformation and Delivery)

Stephen Almond

Executive Director, Regulatory Risk

Secretariat

Caroline Robinson

Risk & Business Continuity Manager

Claire Churchill

Corporate Governance & Secretariat Group
Manager