Capacity and Capability Plan

Introduction

This update is the second Capacity and Capability Plan progress report to Management Board. The plan has now been handed over to be managed and monitored by Strategic Change and Transformation and the ambitious goals and objectives from the plan form the foundations of the Transformation programme. I'm pleased to pick this plan up with good progress made since the plan was introduced.

As the report indicates the majority of actions are on track, with a significant number of actions now completed. We can now identify those actions that are moving from product or project completion into full implementation and embedding. There are a small number which are showing a slight variance on their original completion dates, noted below. The majority of these variances are where the substantive work is complete, but the deadline has been extended slightly to allow for a full staff engagement/communications plan to be rolled out or actions fully embedded so that the outcomes are achieved. Others are where progress has been slightly impaired by a reduction in staff capacity, which in this last quarter have not been Covid related. I am satisfied that these variances are relatively minor and can be tolerated, they are however, being tracked closely.

There remains a small number of finance related actions which are dependent on DCMS and these are highlighted in the dashboard. DCMS have advised us of their developing timetable for this work and we have amended our deadlines accordingly.

Bringing together capacity and capability actions from across the organisation, we have now included some additional actions into this dashboard, notably the delivery of the Regulatory Governance Programme.

In the next quarter, we will be further developing the capacity and capability plan, continuing to ensure that as we develop the products and deliver the actions listed in the dashboard, we are also ensuring that we're tracking ongoing implementation. Ensuring that we're embedding these products fully and the organisation can ensure the benefits of these changes are fully realised. Further actions to embed and accelerate organisational culture change are also in development and will feature in the next update.

Jen Green
Executive Director – Strategic Change and Transformation

Goal #1 To have the infrastructure that enables us to operate effectively, responding to the views and needs of our customers and stakeholders and developments in the external environment

Action	RAG	Due Date	Variance	Comments
Digital and IT Strategy Deploy an updated Digital and IT strategy and associated road map, including implementation of an updated operating model.	GREEN	Jul-21	N/A	Digital and IT Strategy approved at Novembers Management Board. Transition plan for return of the LittleFish contract signed off in December 2020 and is progressing ahead of the return of these services on 4 July 2021. A formal review of our 2019 to 2021 Digital and IT Strategy was presented to Resources Board in March 2021 and our draft strategy covering 2022 to 2024 will also be presented to Resources Board in September 2021 .
Data Strategy Develop and implement an ICO Data Strategy, including the introduction of a new Intelligence Database and improved BI and MI infrastructure to better present intelligence and information to inform decisions and actions.	GREEN	Jul-21	N/A	Procurement of the Intelligence Database solution is complete. Implementation and training will take place in Q1, and the project is on track to deliver in July as planned. Stakeholder workshop delivered in Q4 to agree data strategy scope; detail workshops scheduled in Q1. Power BI feasibility study underway to support data presentation.
ERP Systems Implement new ERP system to recognise the end of the current contracts with HR and Finance systems.	GREEN	Apr-22	N/A	We have recruited a specialist to work with us on developing an options paper for SLT; we have held workshops during January to refine requirements and key outcomes for the project. The Resources Board have received a progress report and initial development budget has been agreed to develop the business case during 2021/22
Knowledge Management Infrastructure Review our KM infrastructure and systems to ensure new guidance, policy and regulatory decisions are able to be developed and effectively disseminated and communicated to ICO staff, with a clear road map for future development of our knowledge services.	AMBER	Mar-21	July 21	There has been an unexpected but severe reduction in capacity in the team in the last quarter, hence the new variance for this quarter. However, there is a clear path for the development of the service, with the business plan of the department identifying a number of workstreams. A key aspect of this road map is the recently launched ICO Knowledge Centre, which forms a key part of our infrastructure. The online Centre gives quick and clear access to staff to new guidance, policy and regulatory decisions.
Programme Management Establish a Project Management Office and dedicated programme and project roles for both regulatory and corporate activities. Initial Programme Management capacity to be increased by January 2021 and PMO to be fully operational.	GREEN	Jul-21	N/A	Head of PMO in place from 1 April. Business change manager job description drafted and under evaluation. Resource business case approved; PMO recruitment planned in Q1. Bi-monthly project professionals lunch forum established. P3 (Portfolio, Programme and Project) training plan agreed and skills matrix developed. PMO support for lessons learned and project scoping to be delivered in Q1. Cross-ICO project schedule in draft – to be finalised and published in Q1.

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Surging Resources Ensure that protocols and mechanisms are in place for deploying and surging resources to address priorities.	COMPLETE	Jan-21	N/A	Historic protocols reviewed and updated version signed of at January Resources Board.
Capacity Building Identify and further opportunities for alternative delivery models, including the option to utilise or provide shared services and processes by March 2021. To also include establishing a proportionate mix between functionally organised resources and more centrally deployed multi-disciplinary capacity by July 21.	GREEN	Jul-21	N/A	Alternative delivery models have been reviewed by Operation Chandra – this is still in progress but initial indications are that making use of shared services and/or third parties is not likely to be pursued at this time. Further review will now consider the mix between functionally organised resources and more centrally deployed multi-disciplinary capacity
Corporate Narrative Deploy and fully operationalise corporate narrative complete with infrastructure to review and refresh quarterly.	GREEN	Jan-21	June-21	This action is complete and processes now are in place to review and update the corporate narrative every two months. Products to operationalise the narrative have been developed and distributed. The use of the narrative is now being monitored through the Communication and Engagement Board. The Board has noted in the last quarter that more can be done to fully deploy the narrative through the organisation and in the next month additional products are to be developed to support staff understanding and ensure its use.
Funding Model Develop proposals for cost recovery funding in all areas where this is appropriate.	GREEN	Jun-21	Apr-22	Since agreeing the plan DCMS have advised that their review of our funding model is unlikely to take place till late 2021 at the earliest. Discussion are ongoing regarding the model and we continue to engage DCMS on the issues, in particular prioritising the agreement of the recovery of litigation costs from fine income .

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Stakeholder Perception Establish a programme of stakeholder insight and perception research across the public, private sector, public sector, third sector, Government and consumers and use it to inform our regulatory priorities.	COMPLETE	Apr-21	N/A	The programme is complete, with additional perception insight commissioned to specifically focus on SMEs. The Communications and Engagement Board are developing an action plan to respond to the feedback.
Stakeholder Engagement Methodology Establish updated stakeholder engagement strategy and management model through Communications and Engagement Board.	COMPLETE	Oct -20	N/A	The ICO Engagement Strategy was agreed by the Communication and Engagement board in October 20 with a delivery plan. The plan is now being monitored through the board. This action is therefore complete.
Digital Communications Development of digital solutions to enable greater engagement with colleagues across the organisation through modern internal communications infrastructure.	GREEN	Apr-22	N/A	A business case for funding internal digital communication tools and consultancy support was successful and programme plan is now in development to take this forward, starting with the redevelopment of ICON.
Government Grant in Aid Ensure that suitably long-term Government funding is in place for our regulatory responsibilities funded separately to the DP fee income.	GREEN	Dec-20	Dec-21	The 2021/22 SR bid round is complete. Work on the next round of SR will commence shortly subject to DCMS guidelines and direction – process expected to start in late Spring 2021, initially focussed on the baseline bids, which will need to be resubmitted. Timescales will be led by HMT and DCMS.
Data Protection Fees Make recommendations to DCMS on the fee tier system to ensure it is fair and proportionate.	GREEN	Dec-20	Apr 22	This work is scheduled for the later in the year as part of the ongoing ICO Review - DCMS have indicated that they are not prioritising the funding model as part of the data reform consultation process.

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Funding Model We will continue to work with DCMS and HM Treasury to develop and implement a funding model which permits the retention of monies from monetary penalty notices issued and paid to the office	GREEN	Jun 21	N/A	This is a priority area being actively chased with DCMS, however the agreement to implement this approach is reliant on HMT. The ICO's annual report will this year include a section which outlines the cost of litigation in the context of MPN income.
Legal Capacity We will continuously review the capacity of the legal services function to ensure sufficient resilience within the office to meet current and future demand and to allow pro-active working with all parts of the office	GREEN	Review Aug 21	N/A	Keep development of capacity under review every 6 months in line with funding arrangements.

Goal # 2 To have the systems and processes that support the effective and efficient delivery of our services to our customers and stakeholders

Action	RAG	Due Date	Variance	Comments
Horizon Scanning and Research Establish our Domestic Regulatory Strategy Directorate and with it an agreed research programme which, when linked with our intelligence and insight activities, develops positions on emerging regulatory risks and opportunities on the horizon.	AMBER	Apr-21	Jul-21	A successful business case submitted for new research manager and budget to support both policy research and stakeholder engagement research. Timelines and planning now in development. Progress is being made but limited due to resource capacity demands due to accelerated timescales for Constitutional Review and data prospects, hence the variance for this quarter.
Policy Development Methodology Review and update our policy development methodology, so that it is recognised as supporting the development of iterative regulatory products and guidance in a modern, open and collaborative manner which reduce burdens on business, provide increased regulatory certainty and reduce risk for those we regulate. Ensuring it also supports the consistent development of guidance and advisory products which cover a full range of audiences, always including SMEs.	GREEN	Apr-21	May-21	Development of new methodology is well advanced. Internal consultation completed and sign off expected by Apr 30. Final sign off and launch during week of 3 May ahead of start of RAP consultation. Variance date brought forward from June in this quarter.

Goal # 2 To have the systems and processes that support the effective and efficient delivery of our services to our customers and stakeholders

Action	RAG	Due Date	Variance	Comments
Policy Profession Ensure that the policy methodology is documented, agreed, and implemented with strong awareness and recognition across all members of the ICO's Policy profession and incorporates clear principles to guide our stakeholder consultation.	GREEN	Apr-21	N/A	Policy profession launched in mid-March 21. Policy conference took place on 20 April, with good feedback. More policy profession knowledge sharing events being planned, and review of training and development needs due to start in May. Although the product development has been successful, the focus will now be on embedding the approach into our ways of working.
Economic Analysis Introduce Economic Analysis function.	COMPLETE	Apr-21	N/A	Staff joined in January and March with further recruitment planned. The business case, budget and consultation for the new directorate is complete and is now being progressed alongside the 2021/22 budget
Risk Appetite Review the ICO's corporate risk appetite and embed it into decision making processes.	GREEN	Mar-21	Sept 21	Communications on the risk appetite have been shared as part of a Corporate Governance knowledge pack, although there is more work to do to embed the principles of risk appetite into decision making across the organisation, hence the variance for this quarter .
Alignment Align corporate and regulatory risk management practices, ensuring there is a clear and consistent approach to identifying, describing, scoring and mitigating risk.	GREEN	Mar-21	N/A	Risk register has been updated and reflects regulatory risk, with communications through a Knowledge Pack shared to ensure there is a consistent approach to risk management. The inclusion of Directorate risk registers within Business Plans is also ensuring a consistent approach to risk across all parts of the ICO. Not marked complete as there is ongoing work to support the Regulatory Governance Programme and its work on risk assessment and mitigation.

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Impact Assessment Introduce a clear framework for assessing impact of our guidance and upstream advisory services and the delivery of guidance and policy products.	GREEN	Apr-21	N/A	On track.
Decision Making In addition to the existing scheme of delegation, publish a comprehensive organisational and decision-making chart for the ICO.	COMPLETE	Jan-21	N/A	This is complete with a clear organigram and decision making process section of the ICO website which links to our published Scheme of Delegation setting out the delegated responsibilities. Link is here: Decision making structure	ICO
Business Planning Review the corporate and business planning process, making any necessary improvements to the efficiency of the process or to bring about increased clarity in the plans produced.	COMPLETE	Feb-21	Apr 21	This action is complete. Lessons learned have been incorporated from last year including the internal auditors recommendations. This will be an iterative process. However for 2021/22 the plans, budgets and KPI's are still being finalised and this has be complete by the end of Q1.

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Challenge Culture Establish mechanisms to ensure a healthy challenge culture is promoted to underpin the reporting of progress and the recognition of performance and accomplishments, as well as ensuring there are mechanisms for wider input into decision making.	AMBER	Feb-21	July 21	A paper on challenge culture, identifying the key threads of a work programme has been agreed by Risk and Governance Board. Tools are in development to support challenge, including amending report templates to improve consultations and adding in the requirement to consider the corporate narrative, as well as supporting challenge through the directorate scorecards. Work has started to consider a possible 'challenge forum' and how to develop this workstream as part of the transforming culture activities, hence the variance in this quarter.
Prioritisation With particular reference to upstream regulatory activity, fully embed the three harms model to ensure proactive regulatory priorities are fully aligned with our supervisory priorities.	COMPLETE	Feb -21	Apr-21	Regulatory governance programme underway as part of aligning corporate and regulatory risk management practices. This action has been completed, but as part of doing so the need for a broader review of the 3 harms model has been identified. A revised action and completion date has therefore been added.
Benchmarking On an annual basis, scan the horizon for developments in the wider UK regulatory landscape. This will ensure the ICO is continually developing as a key UK regulator.	GREEN	Oct 21	N/A	This review has been completed for 2020/2021, the results of which informed many of the actions in this C&C plan. We will complete the next annual review by October 21 where it will benefit from the production of many other regulators annual reports. We are also participating in a benchmarking exercise within the UKRN which will also inform this work.
Regulatory Governance Programme (RGP) – The RGP aims to present the target operating model to be achieved at the end of the programme, convey at a high level the difference between the current state and target operating model and present the immediate steps to be taken to deliver different phases.	GREEN	Sept 21	N/A	This work incorporates 3 projects: • Project 1 Review the Regulatory Board structure • Project 2 Harms & Prioritisation • Project 3 Approach to Regulatory Risk

Goal # 3 To have an organisational culture, built around people with the right skills and experience, which meets the needs of our customers and stakeholders

Action	RAG	Due Date	Variance	Comments
People Strategy To ensure the completion of all remaining actions from our people strategy in line with agreed milestones.	GREEN	Jul-21	N/A	The People Strategy has been reviewed and all remaining actions scheduled to be completed. All of the remaining actions are on target to be completed by July 2021. This will also include communications with staff to ensure that the actions within the strategy are embedded and having the necessary impact. The strategy will also be reviewed and updated including any additional and new actions to move into the next period
Policies and Procedures Ensure we have the policies and procedures, with associated training and monitoring, which define the leadership and compliance culture for the ICO.	AMBER	Dec-20	June -21	All polices have been reviewed and updated following consultation with external legal advisors where appropriate and also the ED&I forum. The policies are now being consulted upon with TUs. We have provided all of the updated policies to the trade unions (end March). It is intended that consultations regarding the policies will conclude in May with all policies communicated to staff by the end of June.
Accountability Take stock of our coaching and other personal development programmes to ensure their focus on the development of our accountability culture, promoting the taking of ownership and follow up at all levels of the ICO.	COMPLETE	Apr-21	N/A	Coaching as a way of leadership is ongoing and has been reviewed to ensure it includes appropriate accountability. The PDR process has been updated and links directly to ICO values which will continue to develop an accountability culture. 360 degree feedback has been introduced at SLT level and is now being offered to other levels of leadership. This links the feedback and development to the values and will further embed an accountability culture.
Diversity Agree appropriate targets for the diversity of the ICO workforce and develop action plans to achieve each.	AMBER	Jan-21	May 21	Diversity ambitions have been agreed at the EDI Board. Draft action plans are developed and will be reviewed by the Board and agreed in May 21, hence the slight variance for this quarter.

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Transparency and Inclusion Implement protocols to ensure ICO strategies, plans, decisions and daily working life benefit from as diverse a range of thoughts and perspectives as possible. These to include, but not be limited to: external stakeholder groups; our recognised Trade Unions; staff forum; ED&I networks and organisation wide feedback loops.	COMPLETE	Jan-21	Mar-21	A protocol for sharing of information has been agreed with the TUs. The HR Policies have all been reviewed and updated. Corporate Governance have updated corporate templates to capture who was consulted about the report matter and what the outcomes of the consultation were so that we can see how the diversity of views impacted on the matter being reported on. A protocol on producing Strategies, Policies and Procedures (with a link to writing reports), has been updated that includes recommendations on ensuring that strategies are consulted on to benefit from a diverse range of perspectives
Workforce Planning Refresh and validate our workforce planning methodology and plan in light of the priorities described in this Capacity and Capability Plan - Draft to MB at its November 2020 meeting and finalised by February 2021.	COMPLETE	Feb-21	N/A	The workforce planning methodology has been refreshed and reviewed by Management Board. Within this appropriate actions have been agreed and are now being implemented.
Recruitment Infrastructure Support the ambition for our capacity and capability described in this plan, review and make any necessary changes to our recruitment infrastructure to underpin the recruitment to fill vacancies with high calibre and diverse candidates in the required numbers.	COMPLETE	Jan-21	N/A	The recruitment infrastructure is such that we can source differing vacancies through different mechanisms. We have a recruitment infrastructure that can be tailored to meet the requirements of the role. This covers secondments, apprenticeships, use of recruitment agencies, standard recruitment, temporary staff and contractors as and when required.

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Job Evaluation Implement a revised job evaluation scheme to ensure that technical specialist and people leadership responsibilities are recognised proportionately in line with ICO values when grading roles.	AMBER	Apr-21	June-21	We have appointed external consultants who have reviewed our job evaluation scheme. The fundamental elements of the scheme are robust though amendments have been suggested. These are being reviewed with the consultants and the Job Evaluation panel and trade unions. The intention is to conclude the review by the end of May and communicate with staff during June.
Key Roles Ensure that key roles identified as a priority are filled to allow the ICO to meet demand and provide strategic leadership and resilience.	COMPLETE	Jan-21	N/A	All key senior roles filled.
Productivity and Efficiency Introduce a framework for targeting and measuring progress towards productivity and efficiency improvements which represent increasing value for money.	COMPLETE	Apr-21	N/A	Efficiencies have been reviewed within the budgeting as part of the 202122 budget process. As part of the ongoing monthly budget review process efficiencies against the budgets and staffing will be reviewed with budget holders to satisfy we are continuing to achieve VFM.
Government Spending Review Ensure a plan is in place to respond to the outcome of the 2021-4 Spending Review, to develop the capacity and capability to deliver the agreed bids.	COMPLETE	Dec-20	N/A	The 2021/22 SR bid round is complete. Business cases approved for additional spend and procurement/recruitment routes identified.

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Leadership Development Ensure all ICO Managers and Leaders have a leadership development plan in place, agreed with their line manager, which addresses any gaps in capability to operate in line with ICO leadership behaviours.	GREEN	Oct-21	N/A	This is on track – leadership development is fully underway and development plans will be incorporated into leaders and managers PDRs. The first Aspiring Leaders programme was over subscribed and additional sessions have been added to the programme.
Recruiting Tech Capability Complete development of clear framework for attracting and recruiting new technical capability to the ICO.	COMPLETE	Jan-21	N/A	There is a Tech Recruitment Strategy that is allowing for new tech staff to be engaged.
Developing in house capability Building on a proportionate skills audit, define and implement an ICO wide programme of training and development and ensure that all ICO roles include an appropriate 'tech' capability component.	GREEN	Oct-21	N/A	Training and development for in house staff being developed. Job descriptions for all roles will be reviewed for appropriate inclusion of tech capability component.

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Insight Develop a proportionate framework of customer satisfaction research to ensure that a rolling level of insight is maintained across our main areas of public service.	AMBER	Apr-21	Jun-21	We are in the process of becoming a member of the Institute for Customer Service. As a member they will conduct 3 rounds of research a year or one large piece, so April should be achievable in terms of running the research, findings will follow possibly in May. Following the Institute for Customer Service's processes has resulted in a slight variance this quarter.
Ease of Access To review the interfaces between ICO customers and our services, identifying suitably innovative and engaging ways to meet the needs of customers - review to be complete by April 2021 with recommendations for developments fed into future plans.	AMBER	Apr-21	Jul-21	We intend to carry out the exercise following the customer insight work with the ICS. Again, following the Institute for Customer Service's processes has resulted in a slight variance this quarter.
Risk based and outcome focused To continue to enhance and embed our Strategic Assessment to see it more directly inform our service priorities for both up and downstream regulatory activity.	GREEN	Oct-21	N/A	On track.
Impact Assessment To complete the development of a comprehensive framework to support the measurement of the impact of our internal and external services.	GREEN	Jul-21	N/A	The business planning process is focussed on ensuring that plans identify the outcome and impact of our work through measurable targets and SMART objectives. A scorecard of KPIs is also being developed as part of this work and will ensure a 'snapshot' of the impact of our work.

RAG DEFINITIONS

INDICATOR	RED	AMBER	GREEN
TIME	Delivery date is more than 1 month later than the date agreed with the Sponsor Or The delivery date has changed by more than one month	Delivery date is up to 1 month later than the date agreed with the Sponsor Or The delivery date has changed and is within 1 month of the previously agreed delivery date	Project remains on schedule agreed with Project Sponsor (with one week tolerance) and no likely risks/concerns to indicate otherwise.
SCOPE/QUALITY	A significant change to project scope has been agreed with the project sponsor since the last report Or A significant change to the project scope is required	N/A	Project scope remains as agreed with the Sponsor and there are no likely risks or concerns to indicate otherwise. This will include minor changes that are routine and can be accommodated without change to the schedule above the agreed tolerance of 1 week.
COST	Project estimate exceeds or is predicted to exceed agreed cost by more than 20%	Project estimate exceeds or is predicted to exceed agreed cost by between 10 - 20%	Project costs are within agreed estimates ad there are no likely concerns or risks to indicate any variance.
OVERALL	RED if one or more of the time/cost/scope categories are red.	AMBER if one or more of the time/cost/scope categories are amber and none are red.	GREEN if all of time/cost/scope categories are green