

ET Formal – for assurance

Meeting agenda title: ICO Corporate Scorecard

Meeting date: 16 February 2023

Time required: 10 minutes

Presenter: Louise Byers

Approved by: Paul Arnold

1. Objective and recommendation

- 1.1. To present the ICO's latest corporate scorecard for assurance and discussion.

2. History and dependencies

- 2.1. Following review by Management Board in November, our quarter two scorecard was published on our website at:
<https://ico.org.uk/about-the-ico/our-information/our-performance/>
- 2.2. This report presents the next scorecard for 2022/23, updated to include data and commentary for quarter three (Q3), and restructured in line with the existing performance measures which support ICO25.

3. Developing a common understanding

- 3.1. We continue to develop our 'outcome' and 'sentiment' measures in support of ICO25, as well as the measures underpinning the shifts of approach in support of Objective 4 ("Continuously develop the ICO's culture, capacity and capability").
- 3.2. 'Performance' measures for Objectives 1 – 3 are already in place, and are presented in the annex to this paper with updated Q3 figures.

4. Matters to consider to achieve objective

RAG Ratings

- 4.1. Performance measures are rated 'red', 'amber' or 'green' based on the latest quarter position, and these classifications are predominantly applied to our corporate performance measures using the following performance tolerances:
 - Green: performing at, or above, target
 - Amber: at risk, or within 10% of target
 - Red: off track, or more than 10% away from target

However, against performance measures where a 10% RAG tolerance is less appropriate due to the polarity of the measure –

eg measures targeting 'less than 1%' – RAG ratings are applied on the following basis:

- Green: performing at, or less than, 1%
- Amber: greater than 1%, but less than 2%
- Red: greater than 2%

An explanatory key is included in the scorecard annex.

Direction of travel

- 4.2. Out of the 22 measures in the corporate scorecard, 13 are green, 3 are amber, 5 are red and 1 does not have a rating this quarter, due to being an annual measure.
- 4.3. Since the Q2 report, 12 measures have shown improvement in performance, with sustained performance against 5 of our measures. 1 is a new measure with no previous comparator.
- 4.4. Performance against 4 of our measures has decreased between quarters, although 1 of these measures (% of Freedom of Information tribunal hearings in our favour) is performing green and above target. 1 measure (response to Information Access Requests within statutory deadlines) is performing amber, decreasing by only 0.7% to 96.3%, but given its consistent performance above 95% since the end of the recovery plan, is not forecasted to slip into red performance. No additional interventions are recommended for these measures. The other 2 measures with decreasing performance between quarters are currently performing red (% of investigations closing within 12 months of starting, and response to FOI concerns within 6 months) and further detail is provided against these measures for ET to consider.
- 4.5. Although performance is green against our % of personal data breach reports within 30 days measure, a lagged negative impact is currently forecasted for Q4 due to backlog issues, which are outlined in the scorecard.

Red Measures and Supporting Supplements

- 4.6. This quarter we have introduced supplemental reports to provide the Executive Team with additional detail on measures reporting as 'red'. These documents are provided as annexes to this report, and serve as supporting detail in order to contextualise the performance background (eg: what has influenced the 'red' outcome?), planned recovery including any key milestones, recovery forecast timelines, any risks/opportunities to achieving our target, and if any decisions are required from ET.
- 4.7. It is our intention that these reports are provided to Executive Team for internal use, in support of the scorecard progressing to Management Board for review and subsequent external publication.

4.8. The measures performing 'red' this quarter are:

- We will assess and respond to 80% of Data Protection complaints within 90 days
- 95% of investigations close within 12 months of starting
- Less than 1% personal data breach reports will be over 12 months old
- We will reach a decision and respond to 80% of Freedom of Information concerns within 6 months*
- Less than 1% of our Freedom of Information caseload will be over 12 months old*

* given the overlap in service area and context, 1 Red Measure Supplement is provided in support of the 2 'red' FOI measures

5. Further development and ICO25

5.1. As reported previously, work has commenced on developing the research and insight function at the ICO, and in January a further meeting was held of a working group (comprising colleagues in Communications, Planning and Performance and Regulatory Policy) to further progress the work programme in baselining our 'outcome' and 'sentiment' measures.

5.2. ICO25 measure commitments are currently being reviewed for alignment with existing intelligence in order to identify any data gaps and inform the full work programme for commissioning research.

5.3. We will regularly update the Executive Team each quarter on progress, anticipated timelines, and next steps once the measure mapping exercise has been completed.

6. Areas for challenge

6.1. The scorecard was last received by Management Board in November, and has been updated with latest data. The Executive Team may wish to consider:

- Have appropriate details and management actions been included in support of our 'red' performance measures?
- Are Executive Team happy for the Red Measure supplements to sit as internal documentation in support of the Scorecard progressing to Management Board, or would it be helpful for these supplements to progress to Management Board and/or publication on our website?
- Do any 'amber' measures cause any trend concern, or would any benefit from additional information?

7. Communications considerations

- 7.1. We will internally and externally publish the scorecard once reviewed by Executive Team and Management Board.

8. Next steps

- 8.1. The next steps for this work are:
- To continue to work with colleagues in commissioning the relevant research for our outcome and sentiment measures.
 - Progress the Q3 scorecard to Management Board in March.
 - Publish the Q3 scorecard both internally and externally.

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List of Annexes: Management Board scorecard; Red Measure Supplements for: (1) DP Complaints; (2) Investigations; (3) PDB Reports; (4) FOI

Publication decision: This report can be published internally and externally without redaction.

Outcome reached: