

Executive Team minutes

16 March 2023

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

1. Introductions and apologies

- 1.1. There were no apologies for absence. ET welcomed Stephen Almond for to his first meeting as a member of ET.

2. Declarations of interests

- 2.1. No declarations of interests were made.

3. Matters arising from the previous meeting

Minutes

- 3.1. The minutes of the previous meeting had been approved as a correct record.

Actions

- 3.2. There were no updates on actions.

4. High Performance Strategy

- 4.1. Paul Arnold presented a report setting out the High Performance Strategy for ET's approval.

- 4.2. ET reflected on how well the strategy demonstrated the need for efficiency, productivity and value for money. ET also highlighted the importance and bringing the strategy to life for staff at all levels, as this would be vital to ensure that the strategy was delivered. ET also discussed the importance of the professions work, which would need to be supported by workforce development and learning and development tools.

- 4.3. The strategy would be communicated to staff during April, and this would include the tools to help staff to deliver the strategy.

Decision

- 4.4. The Board approved the High Performance Strategy.

5. Regulatory Behaviour Change

- 5.1. ET discussed principles of how regulation can drive behavioural change and particularly considered the appropriate balance

between providing help and support to those organisations who need it and sanctions to those who deserve it. ET agreed that. ET agreed that the ICO largely reflected these principles and discussed the work that would need to be done to move the ICO further towards this approach.

- 5.2. ET particularly commented on the need to ensure ease of compliance with regulation and emphasising the various types of enforcement action that were part of regulation, rather than the public focus being primarily on fines. ET also discussed the importance of reporting on follow-up work to demonstrate how regulatory action drives improvements to data protection practices. It would also be useful to gain further understanding about public sentiments towards these outcomes. ET also noted that there would not be a one-size-fits-all approach to regulation.
- 5.3. ET also discussed how the ICO's regulatory approach could drive changes in data protection culture across the UK, including increasing the priority of compliance with data protection regulation, features of good compliance training that could be applied to data protection training, and the positive and negative impacts of the high level of publicity of potential fine levels in the transition to GDPR.
- 5.4. ET commented that it would be useful to meet with academic experts in this area, and Management Board and Senior Leadership Team should be included in this discussion.

ACTION: Paul Arnold to arrange for further discussions on this subject, including Management Board, ET and SLT. Due date: 30/5/23

6. [Guidance during passage of Data Protection and Digital Information \(DPDI\) Bill](#)

- 6.1. Emily Keaney presented a report setting out proposals to progress or pause guidance during the passage of the DPDI Bill. In particular, guidance in areas where there were likely to be substantive changes following passage of the DPDI Bill should be paused, while other guidance may continue.
- 6.2. ET discussed the extent to which pausing some guidance may create uncertainty for business on those areas and how we can provide more certainty, although there would be limitations to the degree of regulatory certainty that guidance can offer on some subjects. Regulatory certainty would need to be considered for

each specific piece of guidance, as the nuances were likely to be different in for each item. Policy and Communications would continue to work together on this.

- 6.3. ET also commented on the importance of continuing to provide guidance on complying with the law as it currently applies, as this would continue to be the appropriate standard for regulation from an enforcement perspective. ET highlighted that we will also need to consider how to approach breaches to existing DP law in the context of the new law.

Decision

- 6.4. ET agreed that the criteria set out in the report should be applied to in-train guidance during the passage of the DPDI Bill.

7. Communications priorities and blueprint

- 7.1. Tim Bowden and Dave Murphy presented a report setting out the blueprint for communications activities and priorities for the next year.
- 7.2. ET discussed how to ensure that whole organisation understood the benefits of involving communications at the earliest possible stage of work. This would ensure that the work will have the desired impact, with communications seen as an important part of our regulatory toolkit, ensuring that our regulatory work influences behaviour. Further involvement of communications may also provide more opportunities to demystify how regulation happened and make the stories about it more personal, which may have some significant benefits.

8. Annual internal audit plan

- 8.1. ET noted a report setting out the proposed internal audit plan for 2023/24, for comment ahead of this being considered by Audit and Risk Committee.
- 8.2. ET welcomed the work that had been done to engage Directors in development of the internal audit plan. ET discussed the timing of the audits to ensure that they were scheduled at the most impactful time.

9. Audit and Risk Committee work programme

- 9.1. ET noted a report setting out the proposed Audit and Risk Committee work programme for 2023/24, for comment ahead of this being considered by Audit and Risk Committee.

10. Recent and upcoming Board-level meetings

10.1. Louise Byers provided an update on the items to be discussed at upcoming Board-level meetings.

11. Executive Team work programme

11.1. The Board noted a report setting out the work programme for future Executive Team meetings.

12. Any other business

12.1. There were no items of other business.

13. Key messages to staff

13.1. ET briefly discussed key messages to staff emerging from the meeting.

ACTION: Chris Braithwaite and John Kavanagh to share key messages with ET prior to publication on Iris. Due date: 17/3/23

Attendance

Members

Angela Balakrishnan	Executive Director, Strategic Communications
Claudia Berg	General Counsel (for items 1 to 4)
Emily Keaney	Deputy Commissioner (Regulatory Policy)
Jen Green	Executive Director, Strategic Change and Transformation
John Edwards	Information Commissioner
Paul Arnold (Chair)	Deputy Chief Executive and Chief Operating Officer
Rob Holtom	Executive Director, Data, Digital and Technology
Stephen Almond	Executive Director, Regulatory Risk
Stephen Bonner	Deputy Commissioner (Regulatory Supervision)

Attendees

Dave Murphy	Head of Media (for item 7)
Fiona Simkiss	Private Secretary to Jen Green
Izy Jude	Private Secretary to Stephen Bonner
Jacob Harris	Private Secretary to John Edwards
John Kavanagh	Director of Governance Transition
Louise Byers	Director of Planning, Risk and Governance (for items 8 to 10)
Rebecca Bradbury	Private Secretary to Paul Arnold
Sarah Delahunty	Private Secretary to Emily Keaney
Tim Bowden	Head of Communications (for item 7)

Tom Parkman

Secretariat

Chris Braithwaite

Private Secretary to Claudia Berg

Corporate Governance Manager