Executive Team (ET) minutes

30 October 2023

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

1. Introductions and apologies

1.1. Apologies for absence were received from Jen Green, Stephen Almond and Stephen Bonner. John Edwards would be joining the meeting late due to an external meeting.

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. The updates on actions from previous meetings were noted.

4. Update on the work of the EDI Board

4.1. Suzanne Gordon attended the meeting to present an update on the work of the Board over the last six months and the issues it will explore over the next six months.

4.2. ET particularly discussed senior championing for the EDI staff network groups, to promote the work of network and also to provide a point of escalation for the networks for any organisational concerns. ET agreed that it would be beneficial to arrange a session for the EDI networks to meet with ET and SLT members, to help to facilitate championing arrangements and further information about the support and benefits sought from this arrangement.

ACTION: Suzanne Gordon to facilitate a session between ET, SLT and the EDI network groups, potentially as part of the next ET and SLT development session. Due date: 31/1/24

4.3. ET also discussed the importance of continuing to embed EDI across the organisation at all levels, and a championing

1

arrangement could assist with that, including in sharing good practice. ET also emphasised the importance of all SLT and ET members completing the mandatory senior leadership EDI training.

4.4. ET also discussed current EDI risks and delivery of the EDI action plan, and asked that future reports provide further contextual information about progress in areas such as this, to maximise the assurance that ET is receiving through the reports from SLT Boards.

5. "Doing it differently" – decision-making workstream

5.1. Louise Byers, Jo Butler and Claire Churchill presented a report informing ET of progress with the "doing it differently" programme and in particular to outline proposals for the decision-making workstream.

5.2. ET particularly discussed the importance of clearly identifying the underlying causes of the culture which was being sought to change. This would help to ensure that the solutions were focused towards addressing these underlying causes, reducing risks of similar problems arising in a new structure.

5.3. ET discussed the importance of retaining collaboration in individual decision-making, particularly in relation to the importance of ensuring that EDI is always a consideration; the increased importance of communication in individual decision-making; the measurable outcomes that would demonstrate successful delivery of change; the particular importance of senior leadership modelling the desired behaviours; and potential for continuous improvement in this area.

6. Monthly cyber security dashboard

6.1. Rob Holtom presented a report setting out the latest cyber security information.

6.2. ET was pleased that the completion rate of mandatory cyber security training had increased significantly; individuals who had not yet completed the training had been identified and were being chased. Some of these people were currently out of the business, for reasons such as secondments or illness and ET suggested that it may be possible to implement a solution for this issue through Workday.

ACTION: All ET members to confirm that their Directorates have completed mandatory cyber security training, so far as possible. Due date: 27/11/23

7. Medium Term Financial Plan

7.1. Louise Byers presented a report setting out the proposed medium term financial plan, including the expenditure and efficiency assumptions which underpin this, ahead of reporting to the next Management Board meeting.

7.2. ET noted the high level of risk and uncertainty given the DP fee review and progress with the Data Protection and Digital Information (DPDI) Bill. The ICO was working closely with DSIT on this, and DSIT was aware of the challenges and level of risk.

7.3. ET considered potential options to access additional funding, such as exploring options for work through the DRCF.

7.4. ET also discussed the challenges in projecting fine income retention, and discussed the potential need to review these assumptions following completion and implementation of the monetary penalty guidance.

8. Legislative Reform update

8.1. Emily Keaney presented a report updating ET on the current status of the DPDI Bill, including any current areas of concern with the legislation.

8.2. ███

8.4. ET discussed the position in relation to high risk processing, as more clarity as to what constituted high risk processing would

provide further regulatory certainty to organisations, whether this was provided through the legislation or through a duty or power for the ICO to define this (including potentially as a statutory code).

8.5. ET discussed the definition of personal data, with a small number of stakeholders believing that the updated definition narrowed the rights of data subjects. The ICO had previously considered this and been unable so far to identify an example of how this could increase harm for data subjects, and agreed that if any stakeholders did identify such examples ET should discuss them.

9. Regulatory Posture During DPDI transition period approach update

9.1. Anulka Clarke presented a report updating ET on risks identified around the ICO's regulatory posture during the DPDI transition period.

9.2. ET agreed with the proposed approach set out within the report and highlighted the importance of tailoring different parts of the communication to different audiences on different subjects, where appropriate. ET also noted the interrelationship between this and other key areas of work, such as the public sector posture and the regulatory risk review.

ACTION: Ange Balakrishnan and Emily Keaney to convene a discussion regarding the approach to communicating the transitional regulatory posture narrative. Due date: 27/11/23

9.3. ET also noted Ofcom's recent communications campaign regarding the Online Safety Bill, and agreed that it may be useful to meeting with Ofcom to receive any useful lessons from this that could be applied.

10. Public affairs vision

10.1. Ange Balakrishnan, Amanda Williams and Oliver O'Callaghan presented a report providing ET with the public affairs vision for comment, ahead of this being presented to Management Board.

10.2. ET discussed the role of the public affairs team in providing a service to the rest of the organisation, as part of developing cross-organisation stakeholder management. ET agreed that stakeholder engagement and management needed to continue to be considered as a role for the ICO as a whole, rather than the

responsibility of an individual Directorate such as public affairs. ET also highlighted the importance of continuing to avoid developing silos.

10.3. ET discussed the positioning of public affairs as part of the policy profession; while public affairs was a key part of the policy process, the skills required for public affairs may be slightly different from those required for the policy profession. Therefore, it was worth discussing this in more detail.

ACTION: Emily Keaney, Amanda Williams and Oliver O'Callaghan to discuss the positioning of public affairs within professions mapping, or whether public affairs should be considered as a separate profession. Due date: 27/11/23

10.4. ET also discussed: prioritising stakeholder engagement to deliver as efficiently as possible, including stopping those relationships which no longer align to the top organisational priorities; the importance of an agreed approach for prioritising and delivering activities which could have become "side of desk" activities; maximising the visibility of regional activities; and public affairs' role in continuing to develop and deliver a successful relationship with DSIT.

11. Enterprise Data Strategy

11.1. Rob Holtom and Divya Shridhar presented a report facilitating ET comment on the Enterprise Data Strategy, ahead of this being presented to Management Board.

11.2. ET particularly discussed the interaction between the data strategy and the ICO's role as data protection regulator. This would have impacts on the maturity in certain areas of data uses (such as data protection and responsibility) and would also have links to other key pieces of work, such as the regulatory risk review project. ET also noted that the ICO's regulatory role may mean that there could be benefits in publishing the maturity assessment and data strategy. In addition, there would be a public consultation on the data strategy, which would help to emphasise the importance of this work.

11.3. ET also discussed the current level of data maturity and aspirational levels of maturity; the benefits and challenges to delivering the strategy; comparisons between our maturity and

other public sector organisations; and the financial implications of delivery of the strategy.

12.   Recent and upcoming Board-level meetings

12.1.   ET noted the agendas for upcoming Board-level meetings.

13.   Executive Team work programme

13.1.   ET noted the work programme for future meetings.

14.   Any other business

14.1.   There were no items of other business.

Attendance

Members

Angela Balakrishnan	Executive Director of Strategic Communications and Public Affairs
Claudia Berg	General Counsel
Emily Keaney	Deputy Commissioner (Regulatory Policy)
John Edwards	Information Commissioner (for item 5 onwards)
Paul Arnold (Chair)	Deputy Chief Executive and Chief Operating Officer
Rob Holtom	Executive Director (Digital, Data, Technology (DDaT), Transformation and Delivery)

Attendees

Amanda Williams	Director of Public Affairs (for item 10)
Andrew Rimmer	Private Secretary to John Edwards
Anulka Clarke	Director of Regulatory Design (for item 9)
Claire Churchill	Corporate Governance Group Manager (for item 5)
David Squires	Private Secretary to Stephen Almond
Divya Shridhar	Interim Director of Data (for item 11)
Ellis Quinn	Private Secretary to Angela Balakrishnan
Farhana Ahmed	Private Secretary to Rob Holtom
Izy Jude	Private Secretary to Stephen Bonner
Jacob Harris	Private Secretary to John Edwards
Jo Butler	Head of Risk and Governance (for item 5)
Jo Pedder	Director of Legislative Reform (for item 8)
Laura Tomkinson	Group Manager, Corporate Governance
Louise Byers	Director of Risk and Governance
Oliver O'Callaghan	Head of Public Affairs (for item 10)
Rebecca Bradbury	Private Secretary to Paul Arnold
Sarah Delahunty	Private Secretary to Emily Keaney
Suzanne Gordon	Director of Public Advice and Data Protection Complaints (for item 4)
Tom Parkman	Private Secretary to Claudia Berg

Secretariat

Chris Braithwaite   Corporate Governance Manager