



Information Commissioner's Office

Annual Report Launch 2008/09

Tuesday 7 July 2009

The Riverside Room, Savoy Place



Chair: David Clarke

ICO Non-Executive Director

The slide features a light gray background with decorative gears in the top-left and top-right corners. The gears are in shades of yellow, blue, and gray, and vary in size. The text is centered on the slide.

Christopher Graham

Information Commissioner

Richard Thomas CBE

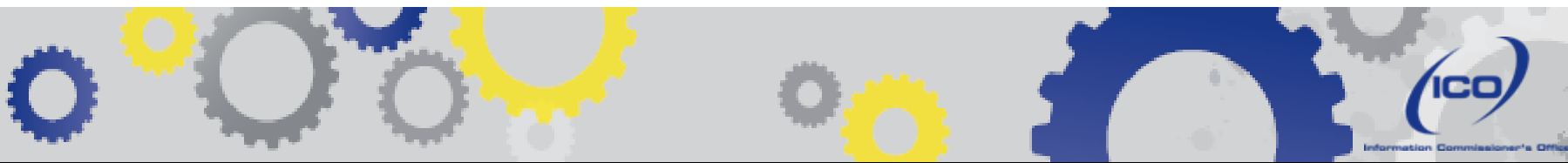


Graham Smith

Deputy
Information Commissioner
Freedom of Information

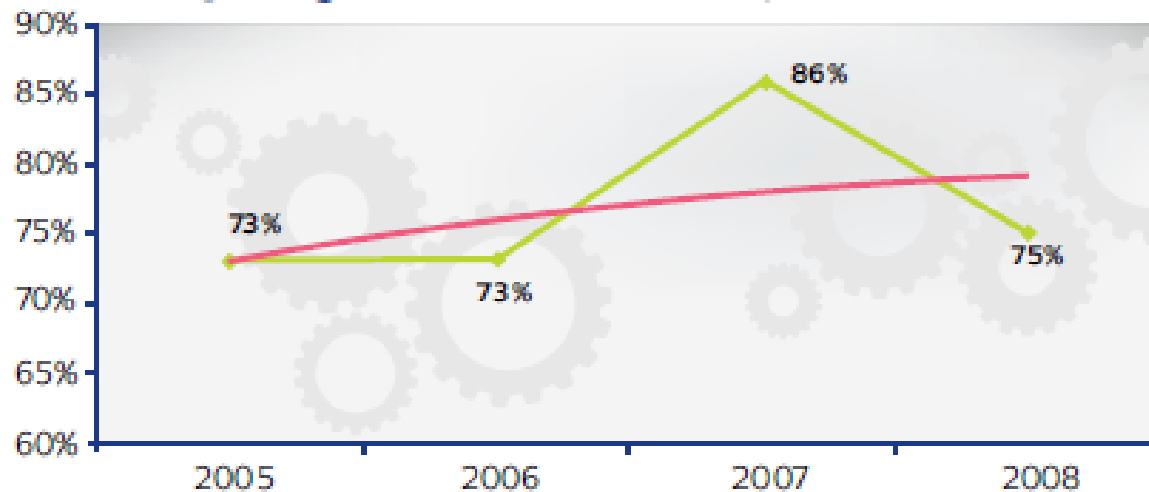
Freedom of information

- Educating and influencing
- Resolving problems
- Enforcing

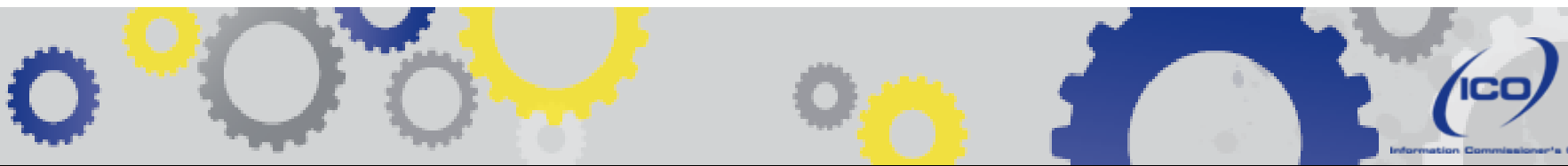


Educating and influencing

Prompted awareness of the right to request information held by the government and other public authorities

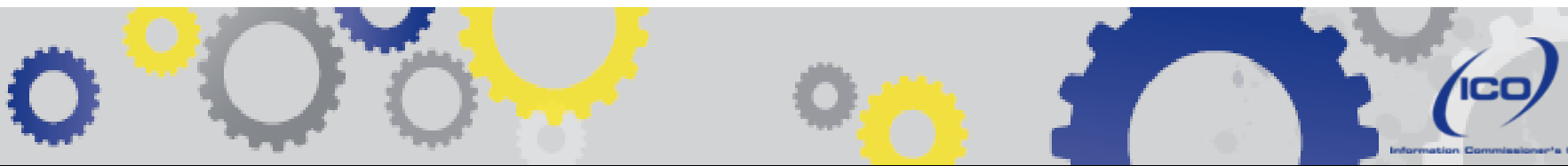


- The right to request information held by the government and the other public authorities
- Trend line



Educating and influencing

- Helping to bring about a culture of openness
- More routine publication of official information
- New model publication scheme
- Monitoring strategy
- Guidance

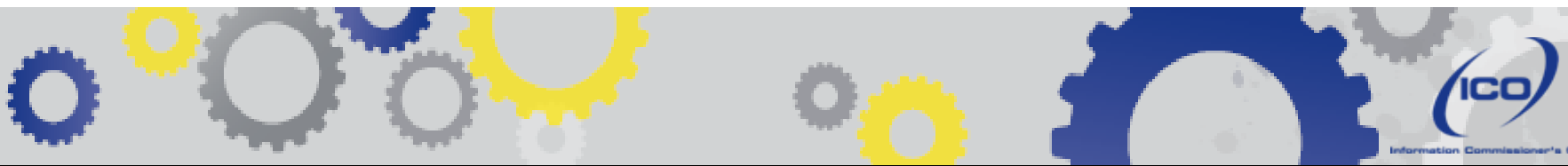


Resolving problems

Freedom of Information casework	Total
Received in 2008/09	3,100
Closed in 2008/09	3,019
Work in progress 2009/10	1,440

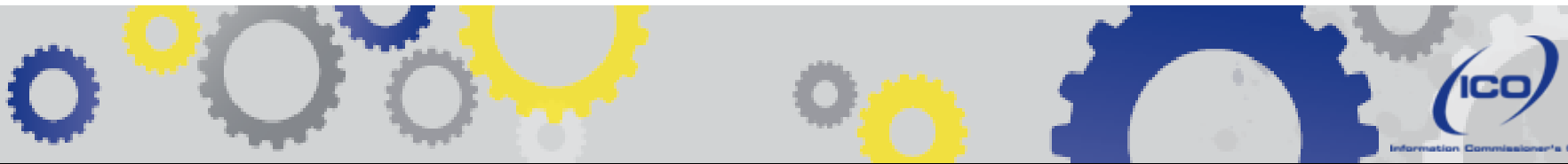
13.5% increase in closures...

...but greater increase in complaints received



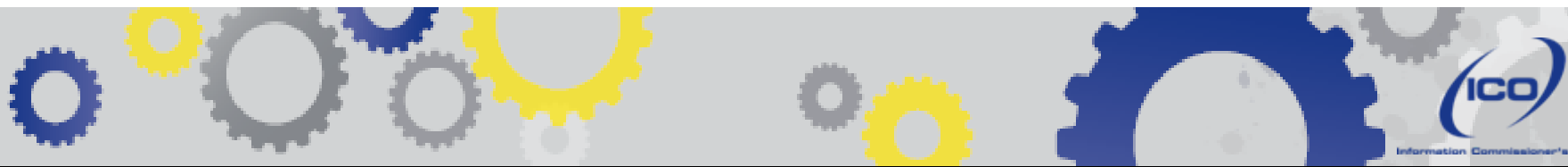
Freedom of information casework

Total freedom of information complaints received and closed since 2005

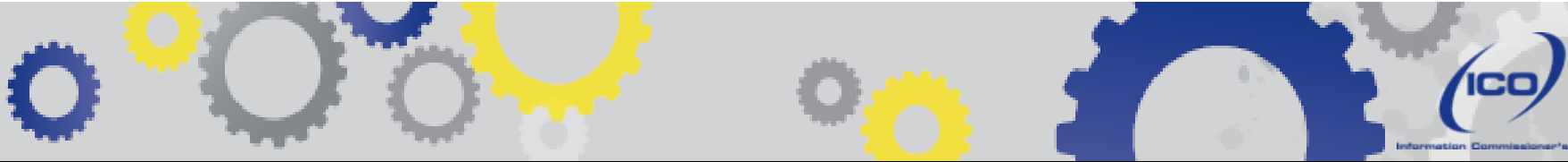
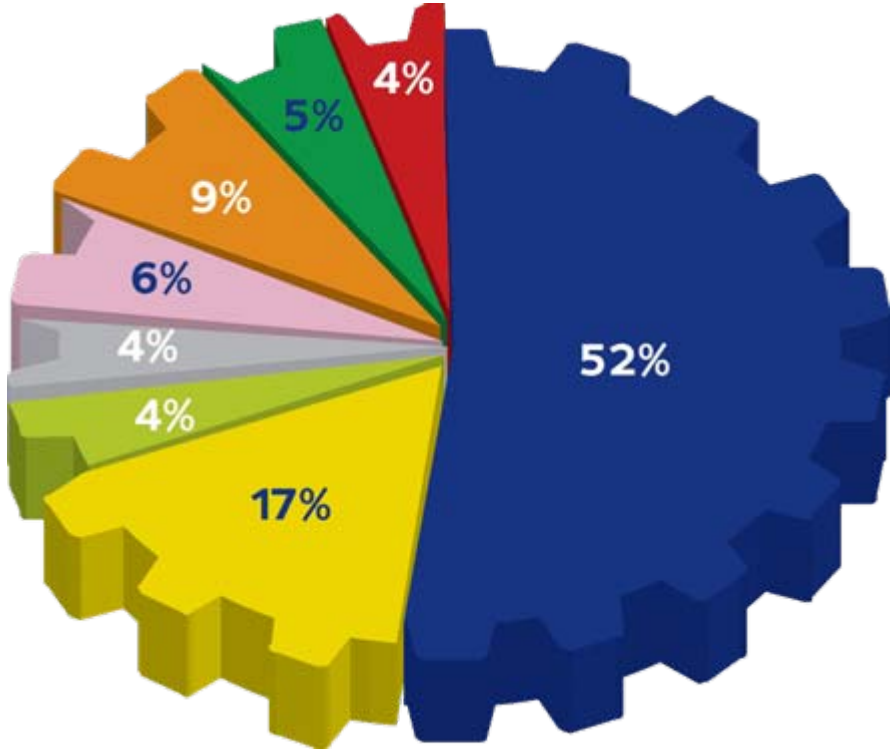


Freedom of information casework

Closed in 30 days or less	47%
Closed in 90 days or less	62%
Closed in 180 days or less	65%
Closed in 365 days or less	67%
Open on 31 March 2009	33%

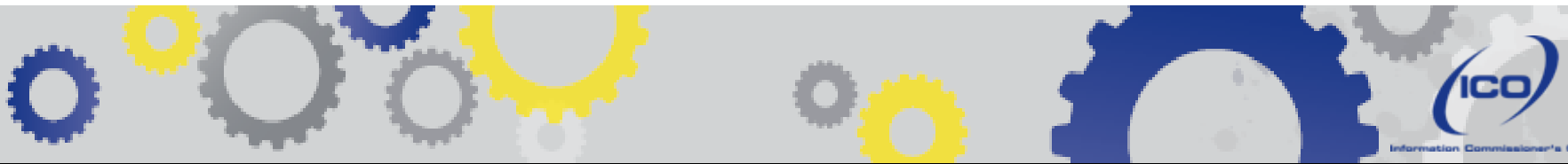


Ages of closed cases during 2008/09

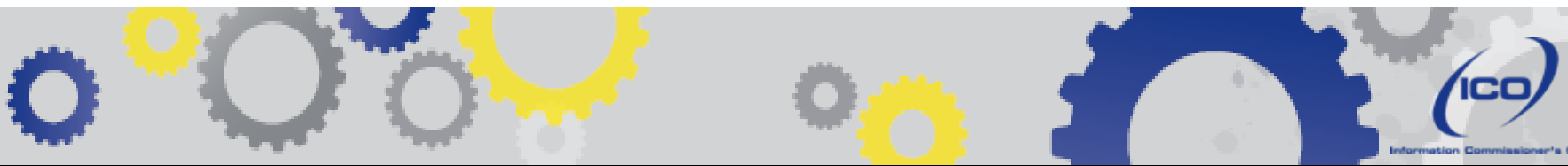
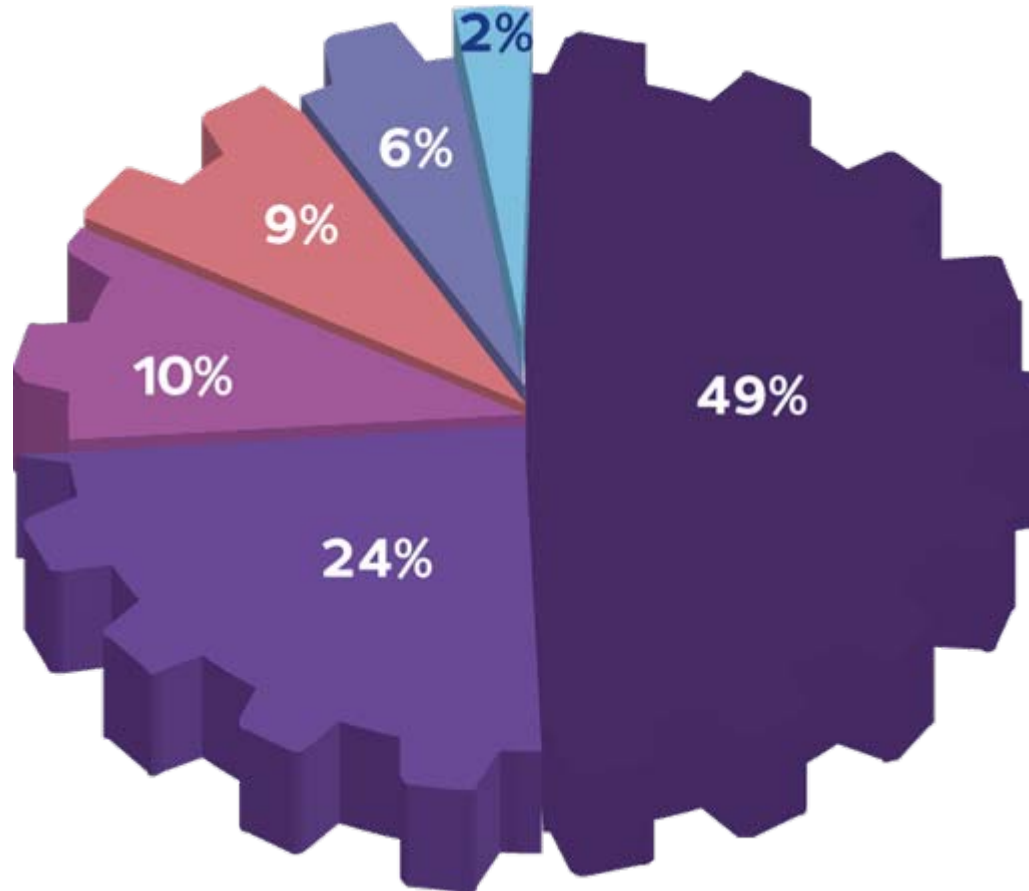


Approach to improving casework

- Taken on additional permanent staff
- Secondees from government departments
- Early identification of issues
- Triage team
- Senior Triage panel

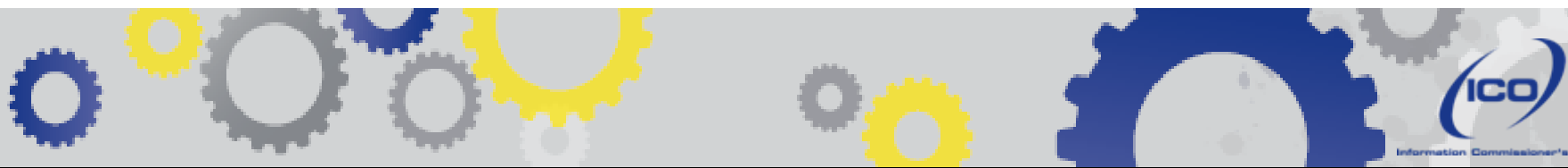


Outcomes of closed cases



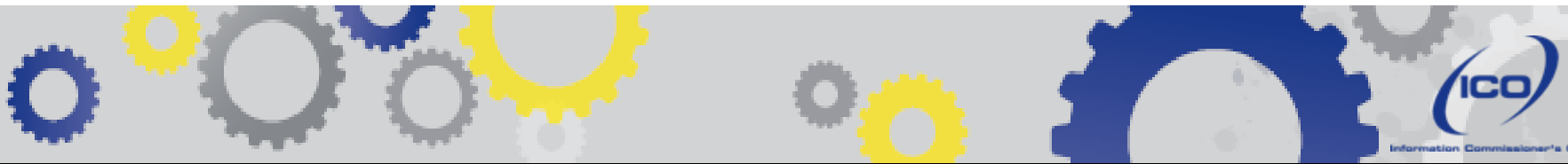
Freedom of information casework

Sectors of cases closed	%
Local government	39%
Central government	30%
Police and criminal justice	10%
Health	8%
Other	7%
Education	5%
Private companies	1%



Case examples

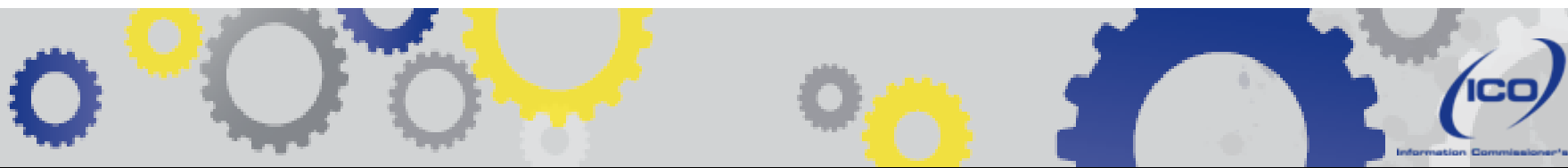
- PFI contracts
- Storage of radioactive waste
- Eastenders
- Drugs-related school exclusions
- MP's expenses
- Cabinet minutes



Appeals to the Information Tribunal

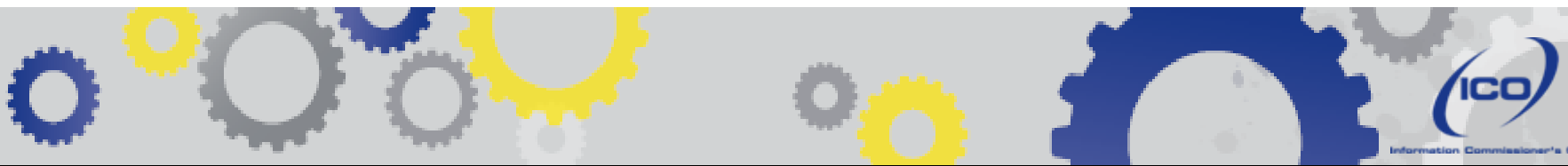
Total appeals since January 2005	322
ICO decision upheld	54%
ICO decision overturned or varied	30%
Appeals withdrawn	15%

Appeals in progress on 31 March 2009	62
Complainants	67%
Public authorities	30%



Enforcing

- Department for Communities and Local Government (DCLG)
- Greater Manchester Police
- Department of Health
- Following up earlier interventions





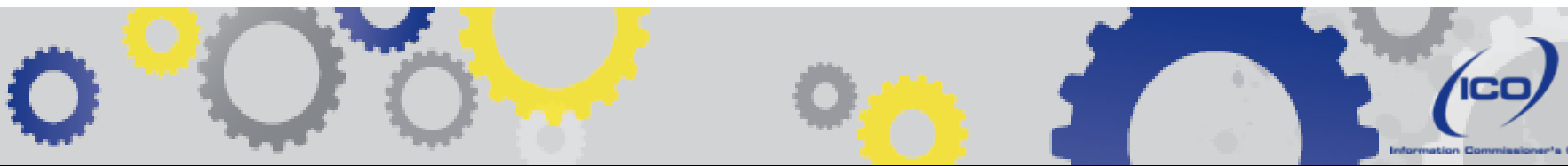
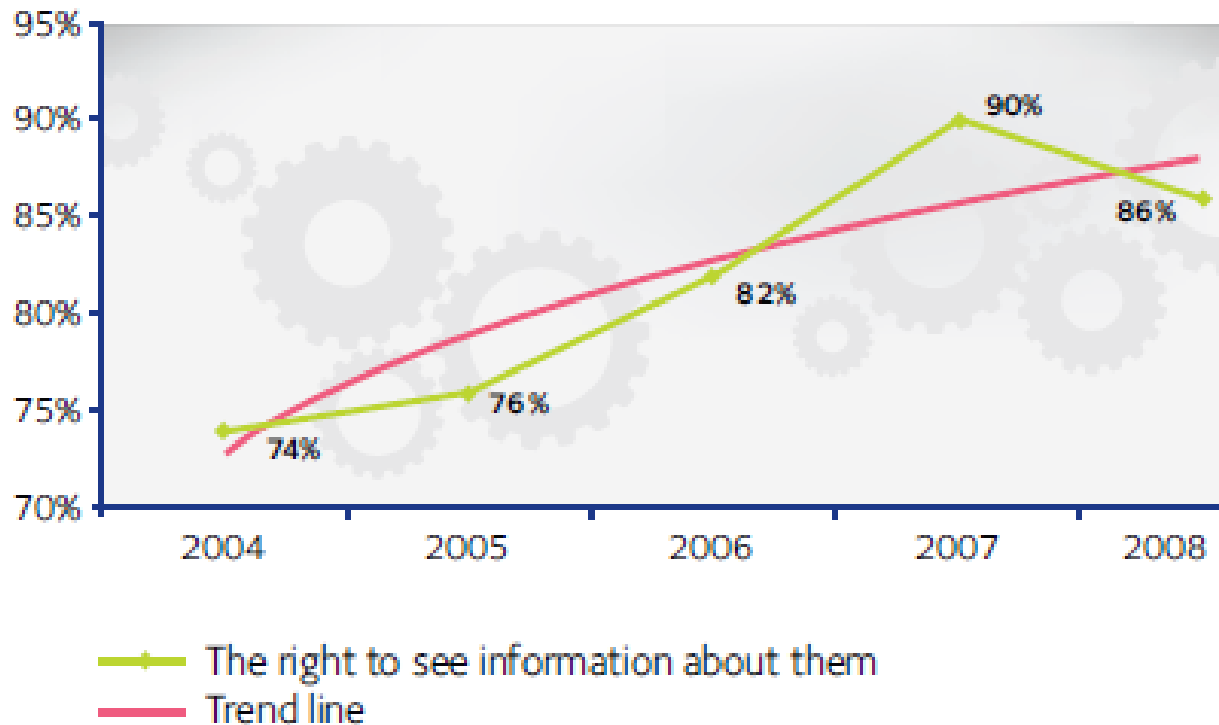
David Smith

Deputy
Information Commissioner

Data Protection

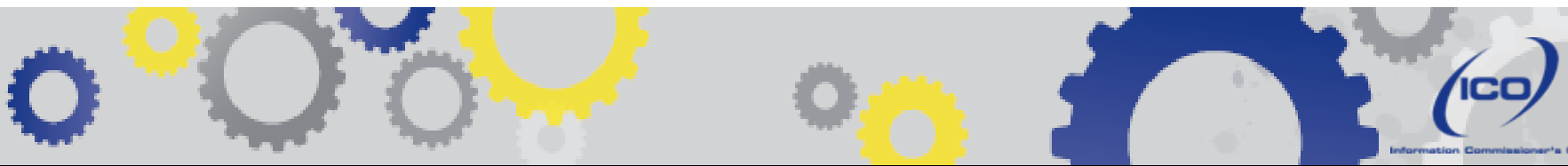
Educating and influencing

Prompted awareness of the right to see information held about them



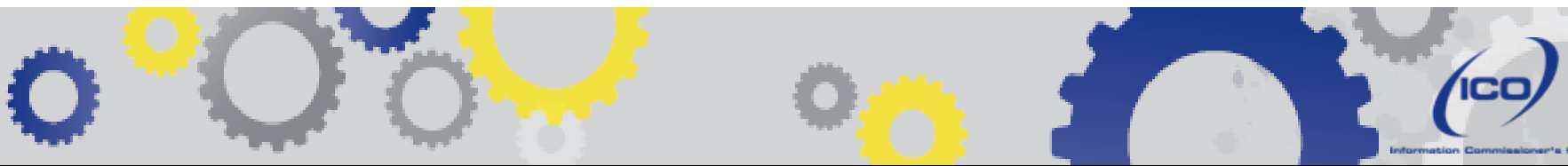
Educating and influencing

- 'Data protection duck-out'
- Privacy Impact Assessments
- Privacy by Design conferences
- Privacy Notices Code of Practice
- The Personal Information Promise
- Data Protection Officer conference



Educating and influencing

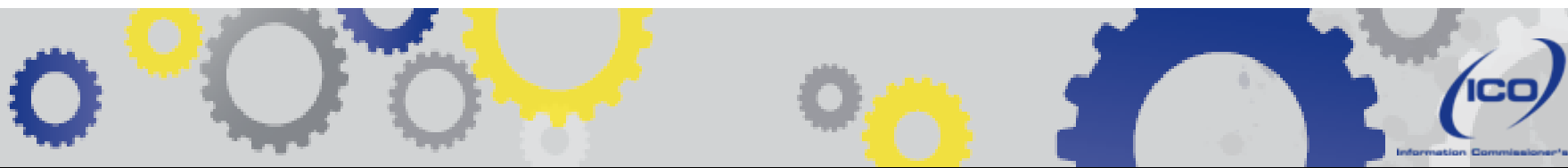
- Influencing policy
- Reaching regional audiences
- International work
- Reviewing EU Directive
- Binding corporate rules



Data protection caseload

Received in 2008/09	25,509
Closed in 2008/09	23,406
Work in progress 2009/10	6,442

Age of cases at closure	Target	Actual
30 days or less	45%	30%
90 days or less	95%	81%
180 days or less	99%	93%



Outcome of closed cases

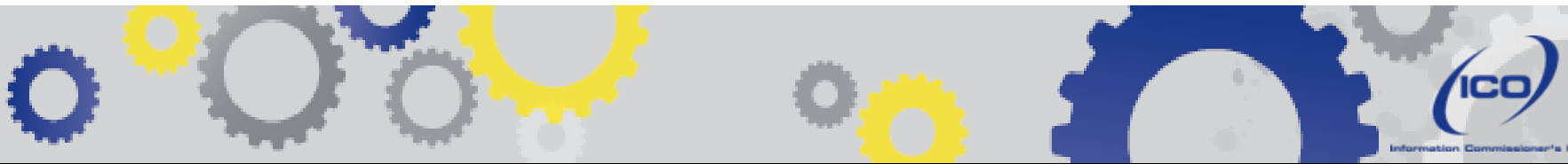
44% - Advice and guidance provided

27% - Ineligible complaint

16% - Breach likely

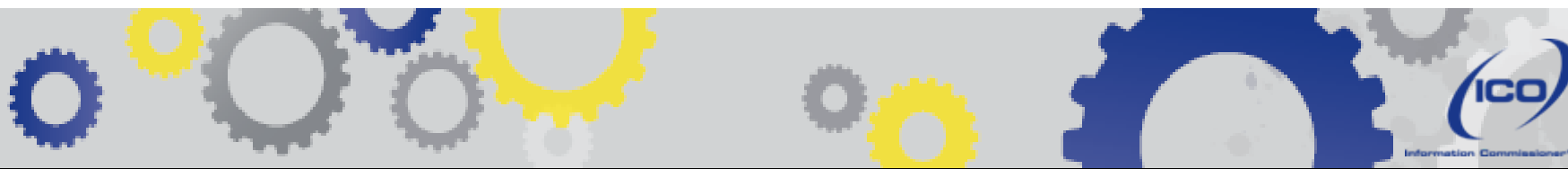
8% - Breach unlikely

5% - Other



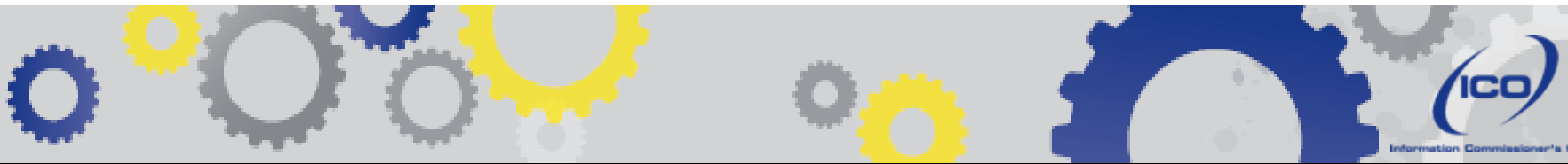
Business areas generating most complaints

Business	%
Lenders	16%
Direct marketing	14%
General business	8%
Telecoms	6%
Central Government	5%
Health	5%
Policing and criminal records	5%
Local Government	5%
Debt collectors	3%
Leisure	3%



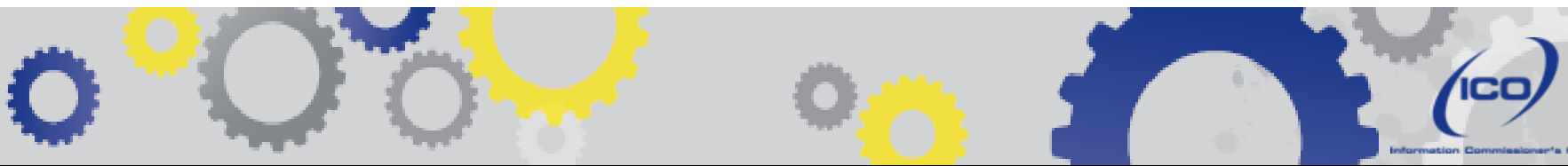
Reasons for complaining

Reason	%
Subject access	25%
Inaccurate data	13%
Phone calls - automated	11%
Disclosure of data	10%
Phone calls - live	9%
Email	5%
Security	5%
SMS	2%
Right to prevent processing	2%
Fair processing information not provided	2%



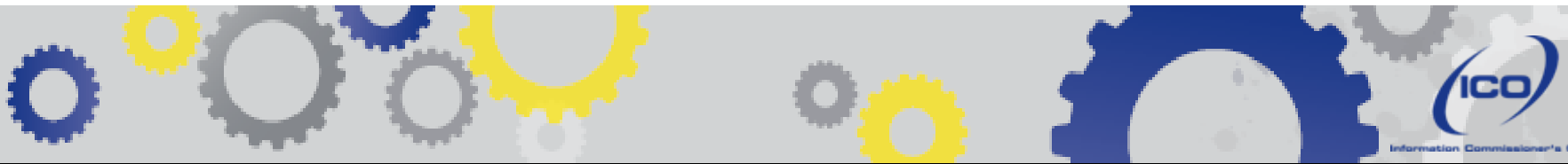
Enforcing

- Construction industry database
- Security breaches reported to ICO
- Nine enforcement notices
- Fourteen formal undertakings
- Fourteen prosecutions
- Audit and spot checks
- Ensuring organisations notify



Enhanced powers and penalties

- Custodial sentences for section 55 offences
- Monetary penalties
- Coroners and Justice Bill
- Changes to notification fee structure



Questions to the panel



Information Commissioner's Office

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