

Executive Team minutes – Monday 19 July 2010

Members and other attendees present

Vicky Best	Director Organisational Development
Simon Entwisle	Director Operations
Susan Fox	Director Corporate Affairs
Christopher Graham	Information Commissioner and Chief Executive (chair)
David Smith	Deputy Commissioner and Director Data Protection
Graham Smith	Deputy Commissioner and Director Freedom of Information
Jonathan Bamford	Head of Strategic Liaison (agenda item 6 only)
Lesley Bett	Head of Internal Compliance (agenda item 3 only)
Simon Ebbitt	Internal Compliance Manager (agenda item 3 only)
Charlotte Powell	Internal Compliance Manager (agenda item 3 only)
Peter Bloomfield	Senior Corporate Governance Manager (secretariat)

1. Introductions and apologies

- 1.1. There were no introductions or apologies.

2. Minutes and action points from the Executive Team meeting of the 5 July 2010

- 2.1. The minutes of the meeting of the 5 July were agreed with minor amendment.

Action point 1: Peter Bloomfield to amend the minutes and ensure that they are published on the website with all staff being advised.

- 2.2. It was confirmed that the minutes of the meeting of the 21 June had now been published (action point 1 from the meeting of 5 July).
- 2.3. Christopher Graham advised members that he had recast the ICO Business Plan taking account of the Corporate Plan and individual work objectives for members. It does need to be sent to non-executives on Thursday for Management Board the following week. There followed discussion about the structure of the plan. **ET members were asked to provide comments back to Christopher Graham as quickly as possible.**

3. Internal Compliance and Information Security Strategy

- 3.1. Lesley Bett, Simon Ebbitt and Charlotte Powell attended to provide a presentation on internal compliance. There was a commitment to produce an internal compliance strategy. The aim of this presentation was to introduce the strategy to Executive Team, to gain approval and commitment to the strategy's aims, and to set the direction for the internal compliance business plan.
- 3.2. In developing the strategy internal compliance had consulted widely, baselined what they did against codes of practice, and made use of various other pieces of work such as recent gap analysis of the ICO's security procedures.
- 3.3. From the consultation priorities had been identified. These were to ensure legal compliance, to avoid a security breach and to improve records management. To help meet these priorities eight strategic aims had been identified and work would be needed to take this strategy forward. There would be regular reports to Executive Team and internal compliance should be considered as part of the review of corporate governance.
- 3.4. Executive Team welcomed the strategy. It was noted that our own standards would need to be consistent with what we expected from other organisations. In addition the need for a Management Board (non-executive) champion for internal compliance was raised. This would be considered later.
- 3.5. **The strategy was agreed by Executive Team.** It would be in place by the end of August.

4. ICO reporting and funding arrangements

- 4.1. Peter Bloomfield provided an update on possible changes to the ICO's reporting and funding arrangements.

5. Ministry of Justice liaison

- 5.1. Peter Bloomfield introduced the minutes of the last liaison meeting with the Ministry of Justice. A follow up meeting was taking place on the 22 July. The minutes were noted.

6. Technology Reference Panel

- 6.1. Jonathan Bamford attended to introduce a paper recommending the setting up of a Technology Reference Panel. The need to strengthen the ICO's understanding of technology had been included in the Corporate Plan. The recruitment of a technology specialist to help inform ICO decisions was being considered, and this would be reinforced by the Technology Reference Panel which would help the ICO keep up with technological changes across a wide front. We needed to better understand the technology in new and emerging areas. The panel would be supported by Strategic Liaison.
- 6.2. The panel would be made up of trusted experts with a range of experience who would meet twice a year to discuss issues and whose expertise could be called upon between times as and when necessary. They could be nominated by organisations they work for. They would not be paid.
- 6.3. There were risks in setting up the panel, for example in terms of confidentiality. However there were also risks in not doing anything to help the ICO gain an understanding of technological advances and the risks could be mitigated against by clear corporate governance such as terms of reference, contracts and selection criteria.
- 6.4. The panel would not be advising directly on individual complaints and possible enforcement action against individual data controllers. Their role would be to provide the ICO with a more general view of technology. The panel would not have the role of being an expert witness. Where expert input into particular complaints was needed this would be obtained separately.
- 6.5. The need for transparency about the work of the panel was recognised. There was also a need for thought as to how

best to set up the panel; for example how would we seek nominations?

- 6.6. **Executive Team agreed to the setting up of the panel.**

7. A set of principles between the PHSO and the ICO

- 7.1. Christopher Graham introduced a draft paper outlining a set of principles between the Parliamentary and Health Service Ombudsman's Office (PHSO) and the ICO, which was drawn up to reflect the relative jurisdictions of the two organisations and the interaction between relevant legislation. Head of Complaints, Andrew Laing, had been involved in their drafting.
- 7.2. The principles were welcomed and agreed subject to some amendments to be made by David Smith.

Action point 2: David Smith to amend the document as discussed.

8. Any other urgent business

- 8.1. Graham Smith highlighted the need for staff to arrange working lunches only when absolutely necessary - that is when meetings with external attendees had to take place over lunch.
- 8.2. Vicky Best updated Executive Team on the pay remit. There was still uncertainty over Treasury guidance on the pay freeze and the £250 limit on pay awards for those earning £21,000 or less. Legal advice however was that progression in the development zone was unlikely to be contractual. Vicky Best was meeting with the Ministry of Justice shortly.
- 8.3. The building work was to deadline with TSK working well with the builders.
- 8.4. Executive Team also agreed that it would be good if the ICO contributed towards an event for those retiring with more than 20 years service. This was being looked into.
- 8.5. It was noted that the Annual Report launch had gone well.
- 8.6. Iain Bourne and his team, plus Corporate Affairs, were congratulated on the Privacy Notices Code of Practice which had been highly commended in the Nominet awards.