

ICO risk register – v1.2.October.2012

| Risk area | Status | | | When final risk status is expected by | Trend in status after existing mitigation |
|---|--|---------------------------------------|---------------------------------|---------------------------------------|---|
| | before existing mitigation 27/02/12 | after existing mitigation 01/10/12 | final (after future) mitigation | | |
| Longer term – strategic – risks | | | | | |
| 1. ICO funding | 20 | 16 | 16 | 31/03/15 | Level |
| 2. Changes to information rights regulation | 16 | 12 | 6 | 31/03/14 | Level |
| Shorter term – tactical – risks | | | | | |
| 3. Matching of resources to workload | 16 | 12 | 6 | 31/03/13 | Level |
| 4. Reputation | 16 | 9 | 6 | 31/03/13 | Level |
| 5. IT strategy | 15 | 12 | 4 | 31/03/14 | Level |
| 6. Staff engagement | 8 | 6 | 4 | 31/03/13 | Level |

Peter Bloomfield
Senior Corporate Governance Manager
Corporate Governance

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|--|-------------------------------|--|--|------------------------|
| 1 | Risk area: ICO funding | Risk owner: Daniel Benjamin | | |
| Risk description | | | | |
| The ICO does not have the funding to meet its obligations, the expectations of its stakeholders or achieve its plan. In consequence it has to scale back what it wants to do and fails to deliver an acceptable level of service. | | | | |
| Risk status before existing mitigation | Probability | Impact | Overall | |
| | Very High (5) | High (4) | Red (20) | |
| Existing mitigating actions | | Existing assurances | | |
| <ul style="list-style-type: none"> • IRC reviews new and emerging information rights responsibilities • Gov advised that extra resources needed for new ICO responsibilities • Statement issued on resources for the Communications Data Bill • Liaison between Operations, Strategic Liaison and Policy Delivery on work load issues • Regular and high level attendance and input into Article 29 group • Assessment of cost of implementing changes to the EU DP regime | | <ul style="list-style-type: none"> • ET and MB consideration of the impact of new responsibilities on the ICO including on resources • Quarterly MOJ/ICO liaison meetings • Annual Plan and Budgeting process • Reports back to ET and MB on EU DP issues as appropriate | | |
| Risk status after existing mitigation | Probability | Impact | Overall | Acceptable |
| | High (4) | High (4) | Red (16) | |
| Future mitigating actions | Owner | Due | Notes | |
| To plan for 13/14 and 14/15; balancing resources as needed | Daniel Benjamin | 30/09/12 | High level planning on-going. 13/14 financial plan in place. 14/15 issues still to resolve | |
| Contributing to debate on the new EU DP regime | David Smith | 31/12/12 | The Plan: action 6.5 | |
| Inputting into Communications Data Bill | Christopher Graham | 31/12/12 | | |
| Exploring an alternative ICO funding model | Daniel Benjamin | 31/03/13 | The Plan: action 7.1 – brought forward from 31/03/12. Discussion with MOJ on hold. ET reviewing the situation. | |
| Risk status after future mitigating actions | Probability | Impact | Overall | When to be achieved by |
| | High (4) | High (4) | Red (16) | 31/03/15 |

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| 2 | Risk area: Changes to information rights regulation | Risk owner: Graham Smith and David Smith | | |
| Risk description | | | | |
| Changes to the information rights regulatory regime lead to a period of uncertainty for the ICO as to what needs to be delivered. This requires planning, staff engagement, changes to business processes and funding. | | | | |
| Risk status before existing mitigation | Probability | Impact | Overall | |
| | High 4 | High 4 | Red 16 | |
| Existing mitigating actions | | Existing assurances | | |
| <ul style="list-style-type: none"> Regular and high level attendance and input into Article 29 group | | <ul style="list-style-type: none"> Reports back to ET and MB on EU DP issues as appropriate Quarterly MOJ/ICO liaison meetings IRC discussion | | |
| Risk status after existing mitigation | Probability | Impact | Overall | Acceptable |
| | Medium 3 | High 4 | Amber 12 | No |
| Future mitigating actions | Owner | Due | Notes | |
| Evidence to Justice Committee on changes to EU DP regime | David Smith | September 2012 | Complete | |
| Contributing to debate on the new EU DP regime | David Smith | 31/10/12 | The Plan: action 6.5 | |
| Justice Committee report on PLS of FOIA | Graham Smith | 30/11/12 | Government response expected in the autumn | |
| Risk status after future mitigating actions | Probability | Impact | Overall | When to be achieved by |
| | Low 2 | Medium 3 | Amber 6 | 31/03/14 |

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|---|---|--|--|------------------------|
| 3 | Risk area: Matching of resources to workload | Risk owner: Simon Entwisle | | |
| Risk description | | | | |
| An increase in casework at a time of reducing FOI resources results in falling service standards, errors and work the ICO is required to do not being done. | | | | |
| Risk status before existing mitigation | Probability | Impact | Overall | |
| | High 4 | High 4 | Red 16 | |
| Existing mitigating actions | | Existing assurances | | |
| <ul style="list-style-type: none"> Liaison between Operations, Strategic Liaison and Policy Delivery on work load issues Monitoring situation closely Speedier availability of new staff | | <ul style="list-style-type: none"> Quarterly MB meetings Annual Plan and Budgeting process | | |
| Risk status after existing mitigation | Probability | Impact | Overall | Acceptable |
| | Medium 3 | High 4 | Amber 12 | No |
| Future mitigating actions | Owner | Due | Notes | |
| Website development – for the public section and FAQs | Robert Parker | 30/11/12 | Web development focused on self service | |
| Rebalancing Policy Delivery FOI work | Steve Wood | 31/12/12 | | |
| Reintroduction of website use monitoring | Robert Parker | 01/01/13 | To provide information on website use to help further development of the website | |
| Risk status after future mitigating actions | Probability | Impact | Overall | When to be achieved by |
| | Low 2 | Medium 3 | Amber 6 | 31/03/13 |

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|--|------------------------------|--|--|------------------------|
| 4 | Risk area: Reputation | Risk owner: Christopher Graham | | |
| Risk description | | | | |
| The ICO's reputation suffers and, as a result, the ICO loses influence with major stakeholders. Reputation problems may arise from either external events or internal process failures (eg a failure in the ICO's compliance with the legislation it regulates). | | | | |
| Risk status before existing mitigation | Probability | Impact | Overall | |
| | High 4 | High 4 | Red 16 | |
| Existing mitigating actions | | Existing assurances | | |
| External <ul style="list-style-type: none"> • Press statement clearance policy • Enforcement comms policy • Media monitoring • Social media presence • Strategic Liaison engagement • Horizon scanning Internal <ul style="list-style-type: none"> • Additional posts agreed for Internal Compliance on 13 Feb 2012 by ET • 75% of ISO27002 info security code of practice controls in place • On-going investment in IT security | | <ul style="list-style-type: none"> • Quarterly comms reports to MB including media monitoring • Quarterly reports to MB on clearance of information requests • Quarterly security and compliance reports to ET • Quarterly strategic Liaison Business Plan agreed in advance and presented to ET • Stakeholder survey • The work of Priority Action groups and the Technology function | | |
| Risk status after existing mitigation | Probability | Impact | Overall | Acceptable |
| | Medium 3 | Medium 3 | Amber 9 | No |
| Future mitigating actions | Owner | Due | Notes | |
| Remaining 25% of controls in place | Lesley Bett | 31/11/12 | Extended from October – awaiting ET review | |
| Review enforcement powers | Simon Entwisle | 31/03/13 | The Plan: action 4.8 | |
| Maintain performance in responding to information requests | Lesley Bett | 31/03/13 | The Plan: action 7.9 95% of requests answered to deadline | |
| Implementing Knowledge Management Strategy | Robert Parker | 31/03/14 | The Plan: action 7.8 | |
| Risk status after future mitigating actions | Probability | Impact | Overall | When to be achieved by |
| | Low 2 | Medium 3 | Amber 6 | 31/03/13 |

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| 5 | Risk area: IT strategy | Risk owner: Daniel Benjamin | | |
| Risk description | | | | |
| The ICO does not implement its IT strategy smoothly resulting in it not being able to work as efficiently or effectively as it could. | | | | |
| Problems could arise in the re-procurement of the IT managed services contract, software changes and business continuity. | | | | |
| Risk status before existing mitigation | Probability | Impact | Overall | |
| | Medium 3 | Very high 5 | Red 15 | |
| Existing mitigating actions | | Existing assurances | | |
| <ul style="list-style-type: none"> Project plans for ICE and IT re-procurement Extension to current managed services contract to July 2013 Appointment of high quality project team for the re-procurement Involvement of Cabinet Office in IT re-procurement Adoption of agile project management approach for ICE | | <ul style="list-style-type: none"> Project boards for ICE, IT re-procurement and Finance System Quarterly IT reports to ET and AC Monitoring of audit recommendations by AC Continuing internal audits of ICE and IT re-procurement projects in 2012/13 | | |
| Risk status after existing mitigation | Probability | Impact | Overall | Acceptable |
| | Medium 3 | High 4 | Amber 12 | No |
| Future mitigating actions | Owner | Due | Notes | |
| Complete ICE project | Simon Entwisle | 01/04/13 | The Plan: action 7.3 | |
| Re-procure IT managed services | Daniel Benjamin | 31/07/13 | The Plan: action 7.3 | |
| o Draft 1 ITT | Daniel Benjamin | 31/07/12 | Complete | |
| o ITT responses | Daniel Benjamin | 12/10/12 | | |
| o Review by Management Board | Daniel Benjamin | 26/11/12 | | |
| o Contract | Daniel Benjamin | 31/03/13 | | |
| Updating accounting software – system in use | Andrew Cryer | 30/09/14 | The Plan: action 7.3. | |
| Risk status after future mitigating actions | Probability | Impact | Overall | When to be achieved by |
| | Low 2 | Low 2 | Green 4 | 31/03/14 |

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|--|------------------------------------|--|---|------------------------|
| 6 | Risk area: Staff engagement | Risk owner: Daniel Benjamin | | |
| Risk description | | | | |
| There is a lack of staff engagement and morale arising from falling living standards and uncertainty about the future which affects productivity and the ability of the ICO to respond to change. | | | | |
| Risk status before existing mitigation | Probability | Impact | Overall | |
| | High 4 | Low 2 | Amber 8 | |
| Existing mitigating actions | | Existing assurances | | |
| <ul style="list-style-type: none"> • Early discussion on the pay remit for 2012 with trade unions • Development of action plans arising from the staff survey in Autumn 2011 | | <ul style="list-style-type: none"> • Reports for MB on turnover, sickness absence and staff development • Remuneration Committee • Quarterly Joint Committee meetings with trade unions | | |
| Risk status after existing mitigation | Probability | Impact | Overall | Acceptable |
| | Medium 3 | Low 2 | Amber 6 | No |
| Future mitigating actions | Owner | Due | Notes | |
| Pay negotiations for 2012 | Christopher Graham | 31/12/12 | 1% pay increase cap. Consultation with trade union MOJ still to respond on pay remit. | |
| Listen and respond to results from the 2011 staff survey | Daniel Benjamin | 31/03/13 | The Plan: action 7.5 | |
| Embed diversity and values | Michael Collins | 31/03/14 | | |
| Non-executive advice on staff engagement | Christopher Graham | 31/03/14 | | |
| Risk status after future mitigating actions | Probability | Impact | Overall | When to be achieved by |
| | Low 2 | Low 2 | Green 4 | 31/03/14 |

Annex A

Risk Probability setting

| Probability | Criteria |
|-------------|---|
| Very low | 0-5% - extremely unlikely or virtually impossible |
| Low | 6-20% - low but not impossible |
| Medium | 21-50% - fairly likely to occur |
| High | 51-80% - more likely to occur than not |
| Very high | 81-100% - almost certainly will occur |

Risk Impact setting

| Impact | Criteria |
|-----------|---|
| Very low | Likely to have minor impact in one or a few areas of the ICO. |
| Low | Likely to have minor impact in many areas of the ICO. |
| Medium | Likely to have major impact in one or a few areas of the ICO. |
| High | Likely to have major impact in many areas of the ICO. |
| Very high | Likely to have major impact on the whole ICO. |

Traffic light scoring

| Probability | | | | | | Impact |
|-----------------|---------------|---------------|---------------|------------------|------------------|--------|
| Very Low (1) | Low (2) | Medium (3) | High (4) | Very High (5) | | |
| Amber (5) | Amber (10) | Red (15) | Red (20) | Red (25) | Very High (5) | |
| Green (4) | Amber (8) | Amber (12) | Red (16) | Red (20) | High (4) | |
| Green (3) | Amber (6) | Amber (9) | Amber (12) | Red (15) | Medium (3) | |
| Green (2) | Green (4) | Amber (6) | Amber (8) | Amber (10) | Low (2) | |
| Green (1) | Green (2) | Green (3) | Green (4) | Amber (5) | Very Low (1) | |

Annex B

Links between the risks and the ICO Plan 2012-15

| | Risk | Relevant corporate objectives |
|---|--|---|
| 1 | The ICO does not have the funding to meet its obligations, the expectations of its stakeholders or achieve its plan. In consequence it has to scale back what it wants to do and fails to deliver an acceptable level of service. | 6. We will constantly be alert, spotting developments and responding to risks, engaging with a wide range of stakeholders to present the information rights perspective. |
| 2 | Changes to the information rights regulatory regime might not fully reflect the ability of the ICO to deliver results resulting in the ICO losing influence as a regulator for information rights. | 6. We will constantly be alert, spotting developments and responding to risks, engaging with a wide range of stakeholders to present the information rights perspective. 7. We will improve the way we work, evolving so that we continue to be an effective, efficient organisation delivering value for money. |
| 3 | An increase in casework, at a time of reducing FOI resources, results in falling service standards, errors and work the ICO is required to do not being done. | 6. We will constantly be alert, spotting developments and responding to risks, engaging with a wide range of stakeholders to present the information rights perspective. 7. We will improve the way we work, evolving so that we continue to be an effective, efficient organisation delivering value for money. |
| 4 | The ICO's reputation suffers and, as a result, the ICO loses influence with major stakeholders. Reputation problems may arise from either external events or internal process failures (eg a failure in the ICO's compliance with the legislation it regulates). | 4. We will take firm and decisive action, enforcing the law proportionately when organisations fail to meet their information rights obligations. 7. We will improve the way we work, evolving so that we continue to be an effective, efficient organisation delivering value for money. |
| 5 | The ICO does not implement its IT strategy smoothly resulting in it not being able to work as efficiently or effectively as it could. Problems could arise in the re-procurement of the IT managed services contract, software changes and business continuity. | 7. We will improve the way we work, evolving so that we continue to be an effective, efficient organisation delivering value for money. |
| 6 | There is a lack of staff engagement and morale arising from falling living standards and uncertainty about the future which affects productivity and the ability of the ICO to respond to change. | 7. We will improve the way we work, evolving so that we continue to be an effective, efficient organisation delivering value for money. |

