

15 November 2021

IC-133242-N4L4

Request

On or about 9th February, 2021, the ICO press office made this statement to the BBC:

"This payment is currently subject to an internal investigation,"

"We believe that the transaction has been made contrary to ICO policies.

"The ICO is committed to upholding high standards in all aspects of our financial management and controls.

"Should a contravention of our finance policies be confirmed, we will take appropriate action, including ensuring the payment is reimbursed."

Accordingly, please disclose the following by way of the Freedom of Information Act, 2000.

- 1. The policies that were suspected to have been breached. as at the date of the press release.*
- 2. A copy of the relevant policy document(s).*
- 3. Which officer(s) within the ICO, by job title, made the commitment 'to upholding high standards in all aspects of our financial management and controls'?*
- 4. (i) Was a contravention of finance policies confirmed? (ii) If so, when was reimbursement made by the officer(s) concerned in the payment to Hotel Chocolat?*

5. Whom, by job title, commissioned the investigation and whom, by job title(s), carried out the investigation?

6. When did the investigation commence, when was it completed and to whom was the investigation outcome delivered?

7. Was any external oversight of the investigation provided? If so, by which organisation?

8. Was the matter ever reported to the police?

Your request has been handled under the Freedom of Information Act 2000 (the FOIA). As you are probably aware, this legislation provides public access to recorded information held by a public authority unless an appropriate exemption applies.

Our response

We do hold information within the scope of your request:

1. The policies in question were the ICO Staff Recognition Policy, Corporate Charge Card and Procurement Policies.
2. Attached.
3. This is not attributed to any member of staff, it was a statement made about the ICO's commitment as an organisation to upholding these standards.
4. (i) The investigation confirmed that the transaction was carried out in contravention of ICO policies.
(i) Given that the transaction was not challenged due to some failures in the oversight of our strict financial controls, we have decided that it would not be appropriate to require any individual budget holder to reimburse the funds.
5. Paul Arnold, Chief Operating Officer, commissioned the investigation that was carried out by Forbes solicitors.
6. The internal investigation began and was completed in February 2021. Towards the end of February, an external investigation was commissioned by Paul Arnold. The investigation was concluded in late September 2021. The outcome was delivered to Paul Arnold.
7. The external investigation was carried out by Forbes Solicitors.
8. The police were not contacted, as there was never any evidence of fraud.

FOI review procedure

If you are dissatisfied and wish to request a review of our decision or make a complaint about how your request has been handled you should write to the Information Access Team at the address below or e-mail icoaccessinformation@ico.org.uk.

Your request for internal review should be submitted to us within 40 working days of receipt by you of this response. Any such request received after this time will only be considered at the discretion of the Commissioner.

If having exhausted the review process you are not content that your request or review has been dealt with correctly, you have a further right of appeal to this office in our capacity as the statutory complaint handler under the legislation.

To make such an application, please write to our Customer Contact Team at the address given or visit our website if you wish to make a complaint under the FOIA.

Your information

Please note that our [Privacy notice](#) explains what we do with the personal data you provide to us and what your rights are.

This includes entries regarding the specific purpose and legal basis for the ICO processing information that people that have provided us with, such as an [information requester](#).

The length of time we keep information is laid out in our retention schedule, which can be found [here](#).

Yours sincerely



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