

### Risk Register - Operational Support

Risk								
Corporate Information - An inability to meet legislative requirements resulting from Fol and DP requests.								
Inherent Risk Rating			Residual Risk Rating			Tolerable	Risk Owner	Risk Manager / Administrator
Impact	Likelihood	Total	Impact	Likelihood	Total	Total		s.F40 s.F40(2) s.F40(2)(a) s.F40(2)(b) s.F40(3)(A) s.F40(3)(A)(a)
Major - 4	Almost Certain - 5		Moderate - 3	Likely - 4	12	6		
General Impact				Details of Early Warning Indicators				
Breach of legislative obligations under primary legislation Significant risk of enforcement action for failing to adhere to statutory requirements Risk of monetary penalty for serious and substantial breach of legislation Reputational damage for PSNI and adverse media coverage Inability to deliver key work of Corporate Information branch Impacts on branches/departments across PSNI				Request backlog increasing Level of complaints increasing from requesters Increase of complaints made to the Information Commissioners Office Requests from ICO on backlog management Increased levels of staff sickness and welfare matters raised owing to increased work pressures Adverse media coverage				
Key controls to manage/mitigate the risk	Key Assurance	Responsible Officer	How often	Date of last review	Effective	Results of last review		
Ensure adequate staffing to meet work demands	Monthly management meeting & reporting		Monthly	15/01/2019	Partial	PBR bid for 2 additional vacancies approved awaiting HR appointment. All staff in branch refocused to completing DP and Fol casework.	s.F40(2) s.F40(2)(a) s.F40(2)(b) s.F40(3)(A) s.F40(3)(A)(a)	
Ensure work flows and responsibility is aligned across branch to meet demand	1-1s and Monthly team meeting		Monthly	15/01/2019	Yes	Enhanced QA checklists for Fol and DP now provided to all members of established staff at EO2 decision maker level to review cases without the need for further management checks. Staff in Corporate Information Hub realigned to assist with Fol and DP casework.		
ICO updated quarterly.	set meetings with ICO head of regions		Quarterly	15/01/2019	Yes	ICO correspondence received by ACC OSD. Action plan sent to ICO on 07.12.18 and first monthly update sent 11.01.19.		
Implementation of backlog management	Casework management statistics		Daily	15/01/2019	Yes	First review of backlog completed with actions assigned to all cases and cases for early resolution identified. Second review to begin in 2 weeks.		
Additional actions to manage/mitigate the risk		Responsible Officer	Start Date	Planned End Date	Forecast End Date	Latest Progress Update		
Delay commencement of Information Sharing Agreement risk prioritization review function			17/09/2018	30/11/2018	31/03/2019	Chief Superintendent sent all staff email 07.12.18 re. ISA review commencement into 2019 to allow for ongoing Fol and DP casework. - (15/01/2019)	s.F40 s.F40(2)	
Reduce training lead in times by exploring options in relation to a bespoke training provider to deliver training to staff including new staff, to be underpinned by a 3- 5 year training strategy for the branch.			17/09/2018	31/03/2019		Training assessment for branch needs for 2019 in progress. Submissions due on 21.01.19 to PSNI training committee. Deputy Principal to complete training strategy for longer term training needs of branch. - (15/01/2019)	s.F40(2)(a) s.F40(2)(b) s.F40(3)(A) s.F40(3)(A)(a)	

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 13 November 2018 17:37  
**To:** [REDACTED]  
**Subject:** OFFICIAL [PSNI ONLY]: FW: OFFICIAL [PUBLIC]: Email re PSNI backlog.  
**Attachments:** RE: OFFICIAL [PUBLIC]: RE: PSNI

This e-mail has been marked OFFICIAL [PSNI ONLY]

s.F40  
s.F40(2)  
s.F40(2)(a)  
s.F40(2)(b)  
s.F40(3)(A)  
s.F40(3)(A)(a)

**From:** [REDACTED]  
**Sent:** 22 May 2018 15:24  
**To:** 'Kenneth Macdonald'  
**Subject:** OFFICIAL [PUBLIC]: Email re PSNI backlog.

This e-mail has been marked OFFICIAL [PUBLIC];

Ken,

Further to our discussion on Friday, please find attached email that I sent to Ged Tracey re the status of the PSNI backlog. This followed on from an email from you. I do not have any further emails from you on this matter.

By way of a timeline we did draw the issue and management of a PSNI backlog to your attention first in a meeting on the 28<sup>th</sup> April 2017 and followed up as you suggested in an email on the 02 May to yourself and Ged Tracey (attached above). I further updated you in a meeting on the 29<sup>th</sup> June 2017 at the ICO Belfast Office, as well as discussed with you PSNI's GDPR implementation.

We met further about this on the 29<sup>th</sup> August when you visited PSNI and you mentioned the ICO awareness of the backlog in your address to our Senior Executive Team on the 30<sup>th</sup> August when you discussed with them impending Data Protection changes and requirements around resourcing ahead of GDPR implementation.

In between times I have updated you verbally on progress around staffing, PSNI's risk management process as well as PSNI's GDPR implementation. Our last meeting took place with myself and T/ACC Gray on the 25<sup>th</sup> April where the matter was further discussed with you.

You have mentioned this information is required in order to respond to a press query. We may need to have sight of any press statements or contact your press office if we receive follow up queries.

I hope this is of help. Apologies I missed your call earlier, I have been heavily tied up all of today.

Kind regards,

[REDACTED]

s.F40  
s.F40(2)  
s.F40(2)(a)  
s.F40(2)(b)  
s.F40(3)(A)  
s.F40(3)(A)(a)

[REDACTED]

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**From:** Gerrard Tracey <Gerrard.Tracey@ico.gsi.gov.uk>  
**Sent:** 09 May 2017 11:42  
**To:** [REDACTED] Kenneth Macdonald  
**Cc:** Shauna Dunlop; GRAY Barbara; [REDACTED]  
**Subject:** RE: OFFICIAL [PUBLIC]: RE: PSNI

s.F40  
s.F40(2)  
s.F40(2)(a)  
s.F40(2)(b)  
s.F40(3)(A)  
s.F40(3)(A)(a)

Hi [REDACTED],

Apologies for not responding sooner, I've been back and forth to London and out of the office quite a bit recently.

Thank you for including me in the update and explanation that you have provided with regard to your FOI and DP units and approach. It is good to note the training and changes that you have made and are making.

Should anything arise here regarding PSNI's FOI performance from our routine monitoring reports, I will certainly make colleagues aware of the measures already implemented and those planned. I will also let you know should that happen.

Thanks again.

Kind regards,  
Ged

-----Original Message-----

**From:** [REDACTED]  
**Sent:** 02 May 2017 16:45  
**To:** Kenneth Macdonald; Gerrard Tracey  
**Cc:** Shauna Dunlop; barbara.gray@psni.pnn.police.uk; [REDACTED]  
**Subject:** OFFICIAL [PUBLIC]: RE: PSNI

s.F40  
s.F40(2)  
s.F40(2)(a)  
s.F40(2)(b)  
s.F40(3)(A)  
s.F40(3)(A)(a)

This e-mail has been marked OFFICIAL [PUBLIC];

Ged,

I hope you are keeping well. Further to the email below, when Ken visited PSNI on Friday past we let him know of the impacts recent budgetary cuts and a Voluntary Exit Scheme for staff are having on our ability to process both FOI and DP requests. This is further compounded by the lack of a formed Assembly in Northern Ireland to agree a budget which has had dramatic impacts on policing with potential further cuts anticipated.

As we explained to Ken, in order to mitigate as best as possible against losses of staff and key experience we have raised a Departmental Risk which is monitored through our Departmental Risk Assurance frameworks. From this, all staff within my unit are being cross skilled in both FOI and Data Protection and since the 4th April we have gone live with all staff carrying out a dual processing function. This followed a period of in-house staff training and training provided by the NPCC Central Referral Unit team. Sourcing further training is proving problematic owing to the budgetary position and demands across the organisation on training.

As you will appreciate learning new roles can take time, especially in a specialist function, however progress is being monitored with increased management meetings to identify problems at an early stage. We have had two new members of staff join the team today and will begin training in both areas. There is also a bid placed through a PSNI Priority Resourcing Initiative to establish an advice hub in FOI and Data Protection to be staffed by paralegals. It is

anticipated this will provide further specialist staff to support the work of the unit. I have said to Ken I will keep him updated on progress as this rolls out and he kindly agreed to send me your contact email.

Many thanks

[Redacted]

s.F40  
s.F40(2)  
s.F40(2)(a)  
s.F40(2)(b)  
s.F40(3)(A)  
s.F40(3)(A)(a)

Head of FOI and DPA | Operations Support Department | Police Service of Northern Ireland | HQ Brooklyn, 65 Knock Road, Belfast, BT5 6LE |

[Redacted]

-----Original Message-----

From: Kenneth Macdonald [mailto:Kenneth.Macdonald@ico.gsi.gov.uk]  
Sent: 02 May 2017 06:30  
To: Gerrard Tracey  
Cc: Shauna Dunlop; [Redacted]  
Subject: PSNI

s.F40  
s.F40(2)  
s.F40(2)(a)  
s.F40(2)(b)  
s.F40(3)(A)  
s.F40(3)(A)(a)

Hi Ged

I'm just flagging up to you a potential issue with PSNI backlogs which was drawn to my attention when I was there on another matter on Friday.

Due to the impact of a voluntary severance scheme and subsequent reorganisation of resources with the PSNI, it is likely that it will experience an increase in its FOI backlog in the short term. This is being addressed by the introduction of new processes but staff training will be required initially.

I have advised [Redacted] to contact you directly to advise you of this more formally and you should hear from her in due course.

s.F40  
s.F40(2)  
s.F40(2)(a)  
s.F40(2)(b)  
s.F40(3)(A)  
s.F40(3)(A)(a)

Ken

Sent from my iPhone

\*\*\*\*\*  
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