

Information Commissioner's Office

Information Commissioner's Annual Report Summary 2010/11 Information is the currency of democracy

ico.

Information Commissioner's Office

Our mission

The ICO's mission is to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.

Our vision

To be recognised by our stakeholders as the authoritative arbiter of information rights, delivering high-quality, relevant and timely outcomes, responsive and outward-looking in our approach, and with committed and high performing staff – a model of good regulation, and a great place to work and develop.

Your information rights

The **Freedom of Information Act 2000** gives people a general right of access to information held by most public authorities. Aimed at promoting a culture of openness and accountability across the public sector, it enables a better understanding of how public authorities carry out their duties, why they make the decisions they do and how they spend public money.

The **Environmental Information Regulations 2004** provide an additional means of access to environmental information. The Regulations cover more organisations than the Freedom of Information Act, including some private sector bodies, and have fewer exceptions.

The **Data Protection Act 1998** gives citizens important rights including the right to know what information is held about them and the right to correct information that is wrong. The Data Protection Act helps to protect the interests of individuals by obliging organisations to manage the personal information they hold in an appropriate way.

The **Privacy and Electronic Communications Regulations 2003** support the Data Protection Act by regulating the use of electronic communications for the purpose of unsolicited marketing to individuals and organisations.

The **Infrastructure for Spatial Information in the European Community Regulations 2009** gives the Information Commissioner enforcement powers, in relation to the pro-active provision by public authorities, of geographical or location based information.

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Information is the currency of democracy

Attributed to Benjamin Franklin.

Quotation from the Writing on the Wall design scheme at the ICO in Wilmslow.

Information Commissioner's foreword

Information rights in a changing world

The Information Commissioner walks a tightrope, balancing information rights – the right to know and the right to privacy. Where do transparency and accountability end and privacy and data protection start? The Information Commissioner enforces both the Freedom of Information Act and the Data Protection Act, so the Information Commissioner's Office (ICO) is at the centre of these very live debates. It's our job to make the difficult calls. How to square privacy, security and efficiency – in the public interest?

Developments in technology, business and government face the ICO with judgements like these every week. New applications, new services, and a new government seeking efficiencies through greater transparency, accountability and data sharing. How can we gain the benefits of new digital opportunities while managing the risks?

This is a challenging time for the ICO, on the spot and in the spotlight. But, following a year of reorganisation and renewal, I'm confident we are up to the task.

Robust and ready

We have consolidated operations at our main office in Wilmslow, in modern, open-plan accommodation, bringing our head office staff together on a single site. We have adopted an increasingly integrated approach to the seamless garment that is information rights. We have introduced new structures and processes. As a result of this reorganisation and reconfiguring, we are now dealing much more quickly with freedom of information complaints. We now have just three complaints that have been with the ICO for more than a year (all complex issues under investigation) compared with 117 this time last year. We are able to deliver our decisions much more quickly, enabling us to adjudicate on current, relevant, issues. Our streamlined approval process has enabled us to complete more decision notices than ever before, with no drop in quality and no increase in the rate of appeals.

Our staff achieved this striking improvement despite a 17% increase in the number of freedom of information cases referred to us, and a reduction in resources.

Armed with the power to impose civil monetary penalties for the most serious data protection breaches and following a more clearly articulated enforcement strategy, including more systematic monitoring of compliance with the Freedom of Information Act, the ICO has been seen to be a robust regulator. We issued our first four monetary penalty notices for serious breaches of the Data Protection Act, and brought five prosecutions. Our tougher stance on freedom of information compliance is paying off, with well over half the authorities we placed on special monitoring significantly improving their performance.

We are keen, however, to be seen as practical and helpful as well as wielding the enforcement stick. Our code of practice on personal information online offers guidance both to businesses and consumers about information rights and online services. The code of practice on data sharing shows how organisations can cooperate to share data in appropriate circumstances, provided they have thought through the privacy implications and have put proper safeguards in place.

There's a balance to be found here as well. Our better regulation approach means that we use the full range of our powers, carrot and stick, to get a result, rather than court publicity with a macho response to every headline.

We are currently consulting on a revised Information Rights Strategy, showing how we prioritise the different sectors and subjects for regulatory attention.

Responding to the new agenda

The past year has shown us opportunities as well as challenges.

The coalition government's emphasis on transparency and accountability found the ICO ready and able to deliver, making use of the well established publication schemes mechanism under the Freedom of Information Act. Similarly, our approach to the Open Data Initiative has been positive, while warning of the need to take the privacy dimension into account from the outset. We are working to ensure coherent regulation of CCTV, DNA and criminal records, liaising with others working in these fields.

We are also seeking to play a positive and realistic role in the introduction of new EU rules on cookies, where web users now have the right not to have a

tracking device placed on their computer by a website operator or advertising network without their consent. Our guidance seeks to help online businesses to comply with the law in a way that impacts least harmfully on the user's experience. We shall hold our enforcement powers in reserve, intervening in the first year only where it is clear that a website owner is doing little to attempt to comply.

Why independence matters

In order for the ICO to do its job effectively, it is essential that the independence of the Information Commissioner is guaranteed, in practice as well as in theory. The requirement that data protection authorities 'act with complete independence' is also a requirement of the EU Data Protection Directive 95/46/EC, as a recent case in the European Court of Justice has reaffirmed.

The government's recognition of the importance of the independence of my office was signalled by the Justice Minister Lord McNally.

The Information Commissioner plays a vital role in promoting transparency and protecting the rights of individuals in relation to their personal data. The government are fully committed to an independent commissioner and the critical role that he plays as a champion and protector of information rights. House of Lords, 16 February 2011

I welcome the measures included in the Protection of Freedoms Bill, designed to strengthen the independence of the ICO. But there is still work to be done to complete the framework.

Financial Times

Privacy watchdog with a bite

25 November 2010

“Sending a warning shot across the bows over personal data abuses, Information Commissioner Christopher Graham, head of the UK privacy watchdog, has handed out fines for the first time. After strong lobbying the 60-year-old former journalist, who took over the Information Commissioner's Office last year, gained new powers in April to fine organisations up to £500,000 for breaches of the Data Security Act.”

Day-to-day independence also depends on the ICO having adequate resources to do its job. Like all public bodies, we have to shoulder our share of the burden of spending cuts. We continue to strive to find efficiencies and to deliver 'better for less'. But, with growing demand for our services, finding savings is a struggle. Where we are asked to take on new responsibilities we will need additional resources to carry out the work.

Longer term, it may be time to consider following the logic of our increasingly integrated information rights work and to question the current arrangement of separate funding for data protection and freedom of information activities. It makes less and less sense to fund freedom of information out of grant-in-aid and data protection out of notification fees, and never the twain shall meet.

The independence and the effectiveness of the ICO would be better secured by more flexible funding arrangements. As well as liberating the ICO from the apron strings of the Ministry of Justice we may need to find alternatives to the purse strings of HM Treasury. Such an arrangement would also show government commitment to protecting information rights and to the value of an independent overseer.

Looking ahead

But now we face another busy 12 months. Through our membership of the Article 29 Working Party, we are fully engaged in the process of reviewing the EU Data Protection Directive. We look forward to contributing to the post-legislative scrutiny of the Freedom of Information Act by the House of Commons Justice Committee. And we shall be assessing, with the help of our stakeholders, the extent to which we are living up to our vision as 'the authoritative arbiter of information rights'.

The ICO benefits greatly from the involvement of Non-Executive Members in our Management Board. In this connection, I must place on record my appreciation of the work of Dame Clare Tickell and Dr Robert Chilton who retired from the Board last year. Jane May and Andrew Hind joined in their place. I am grateful to all the Members of the Management Board, Executive and Non-Executive. And I pay a special tribute to all the staff of the ICO and thank them for their hard work and commitment in a year of change and challenge.

Christopher Graham

Christopher Graham
Information Commissioner

*We care about upholding
information rights*

ICO values



Our year at a glance

April 2010

Our new powers come into effect, enabling the ICO to impose monetary penalties of up to £500,000 for serious breaches of the Data Protection Act.

.....

We attend the European Privacy and Data Protection Commissioners' conference in Prague.

.....

We issue data protection guidance to political parties and candidates in the run up to the general election.

May 2010

We are shortlisted for the Training Journal awards in the category of 'Best e-learning' for our Meridio e-learning training.

June 2010

We serve an enforcement notice against the Independent Police Complaints Commission for exceeding the time for compliance in dealing with freedom of information requests by a significant margin on more than one occasion.

.....

We issue a statement on the European Commission's call for the UK to strengthen the powers of its national data protection authority.

July 2010

We launch our new 'Personal information online code of practice', providing good practice advice for organisations doing business online.

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We set out the measures that public authorities will face if they routinely fail to meet the requirements of the Freedom of Information Act or the Environmental Information Regulations.

.....

We launch a campaign to remind private medical practitioners to notify with the ICO where they are processing personal information. Over 3,300 new notifications were received as a direct result of our campaign.

.....

We remind students about their data protection right to access information about their exam marks.

August 2010

We issue a statement in response to the government's proposal to use information provided by credit reference agencies to combat benefit fraud.

.....

We remind lettings and estate agents that they risk legal action if they fail to notify with the ICO. Nearly 1,000 new notifications were received as a direct result of our campaign.

We host a delegation from Macedonia, whose members were seeking advice on implementing and regulating data protection legislation.

We commission a 'Review of Availability of Advice on Security for Small and Medium Sized Organisations', to better understand how they access advice for protecting personal information.

September 2010

Ken Macdonald is designated Assistant Commissioner for Northern Ireland and Scotland.

We host the European Case Handling Workshop in Manchester with 50 representatives attending from 29 countries across Europe.

October 2010

Local MP and Chancellor of the Exchequer, George Osborne, officially opens the extension to our head office, Wycliffe House, bringing all the ICO's Wilmslow staff under one roof.

We publish a list of organisations to be monitored by the ICO for failing to demonstrate their requirement to respond to freedom of information requests on time.

We serve our first two monetary penalties against the private company A4e and Hertfordshire County Council, for serious breaches of the Data Protection Act.

Google Inc. signs a commitment to improve data handling to ensure breaches like the collection of Wi-Fi payload data by Google Street View vehicles do not occur again.

The Independent Parliamentary Standards Authority agrees to take action after MPs' personal details were made public on the MPs' expenses database.

We address a meeting of the Permanent Secretaries of the Northern Ireland Civil Service.

November 2010

The European Commission publishes its communication on the future of data protection legislative framework.

The House of Lords European Select Committee publishes the ICO's report

relating to the Serious and Organised Crime Agency's 'ELMER' database – a catalogue of suspicious activity reports provided by financial institutions primarily as an anti-money laundering measure.

We provide an update report to Parliament on the state of surveillance, noting that new laws that impact on privacy should undergo post-legislative scrutiny.

We successfully prosecute two former T-Mobile employees for offences under section 55 of the Data Protection Act, under which it is an offence to obtain, disclose or sell personal data without the data controller's consent.

December 2010

The University of East Anglia signs a commitment to further improve the way it responds to freedom of information requests.

We order the Department of Health to disclose information relating to the costs of purchasing the flu vaccine that was in use February 2010.

We remind schools not to hide behind data protection myths to prevent parents from taking photos at school nativity plays – generating over 100 pieces of media coverage.

We host a delegation from the Ethiopian Institution of the Ombudsman, whose members were seeking advice on implementing and regulating freedom of information legislation.

We publish a set of top tips on freedom of information for communications professionals working in public authorities.

We issue a response to the government's announcement on the Protection of Freedoms Bill.

We welcome the Scottish Government publishing Identity Management and Privacy Principles for public service organisations.

January 2011

We serve our third and fourth monetary penalties against Ealing Council and Hounslow Council for serious breaches of the Data Protection Act after the loss of two unencrypted laptops containing sensitive personal information.

We mark European Data Protection Day launching a new 'Personal information toolkit' and promoting the 'i in online' project – reaching 6,000 young people across the UK.

We issue advice on the government's crime mapping initiative.

We host a delegation from the Israeli Law, Information and Technology Authority, whose members were seeking advice on regulating data protection legislation.

We appoint a technology adviser to play a leading role in the Information Commissioner’s work on policy development, investigations and complaints handling.

We provide evidence to the Public Bill Committee on the Protection of Freedoms Bill.

Graham Smith, Deputy Commissioner addresses the first National Information Law conference in Canberra.

We host a seminar on data anonymisation in London.

February 2011

We successfully prosecute two estate agents under the Data Protection Act for failing to notify with the ICO as data controllers.

March 2011

We host the Data Protection Officer conference in Manchester, with over 500 delegates attending the event.

We issue new guidance on Wi-Fi security settings as a survey about online habits shows that 40% of people who have Wi-Fi at home do not understand how to secure their networks.

We issue a statement welcoming the publication of the Protection of Freedoms Bill, supporting its aims of strengthening privacy, delivering greater transparency and improved accountability, as well as greater independence for the ICO.

We launch our Facebook and LinkedIn social media profiles.

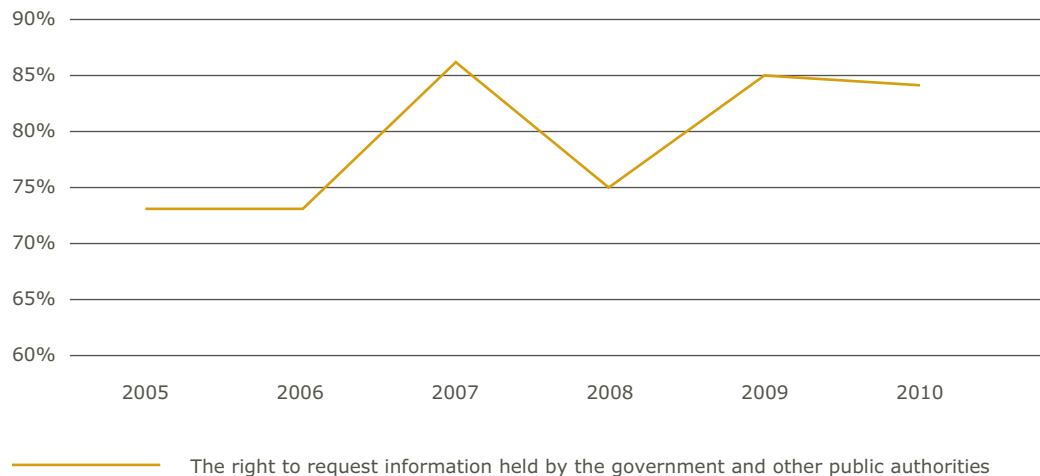
We present at a series of themed conferences across Wales, organised by the Welsh Assembly Government to promote its ‘Sharing Personal Information’ programme.

We re-issue data protection guidance to political parties and candidates campaigning for the UK referendum and local and national elections.

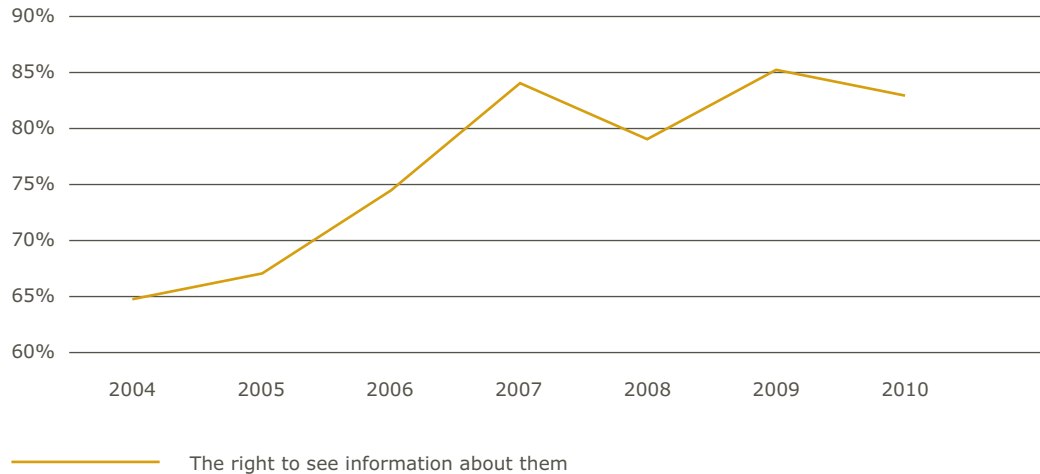
Awareness of information rights

Awareness of information rights remained high this year.

Individuals' prompted awareness of the freedom of information right to see information held by government and other public authorities remained high at 84%, compared with 85% last year and just 73% in our baseline year of 2005.



Similarly, individuals' prompted awareness of the data protection right to see information held about them was 89%, compared to 91% last year and just 74% in our baseline year of 2004.



Meeting customer needs

We are now dealing much more quickly with requests for advice and complaints, following extensive changes to our organisation.

Freedom of information

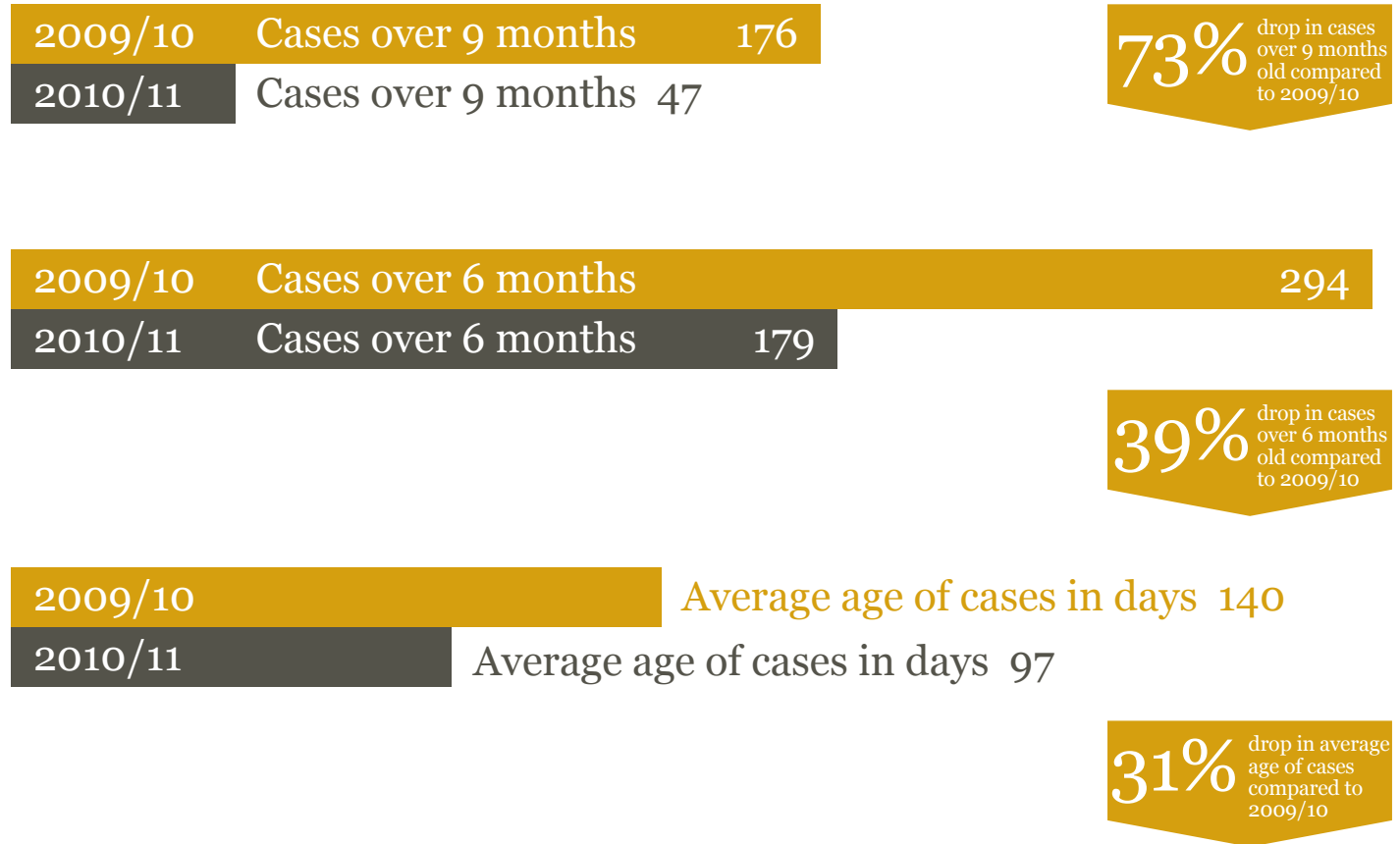
Casework received



Casework closed



Age of complaint caseload



Data protection

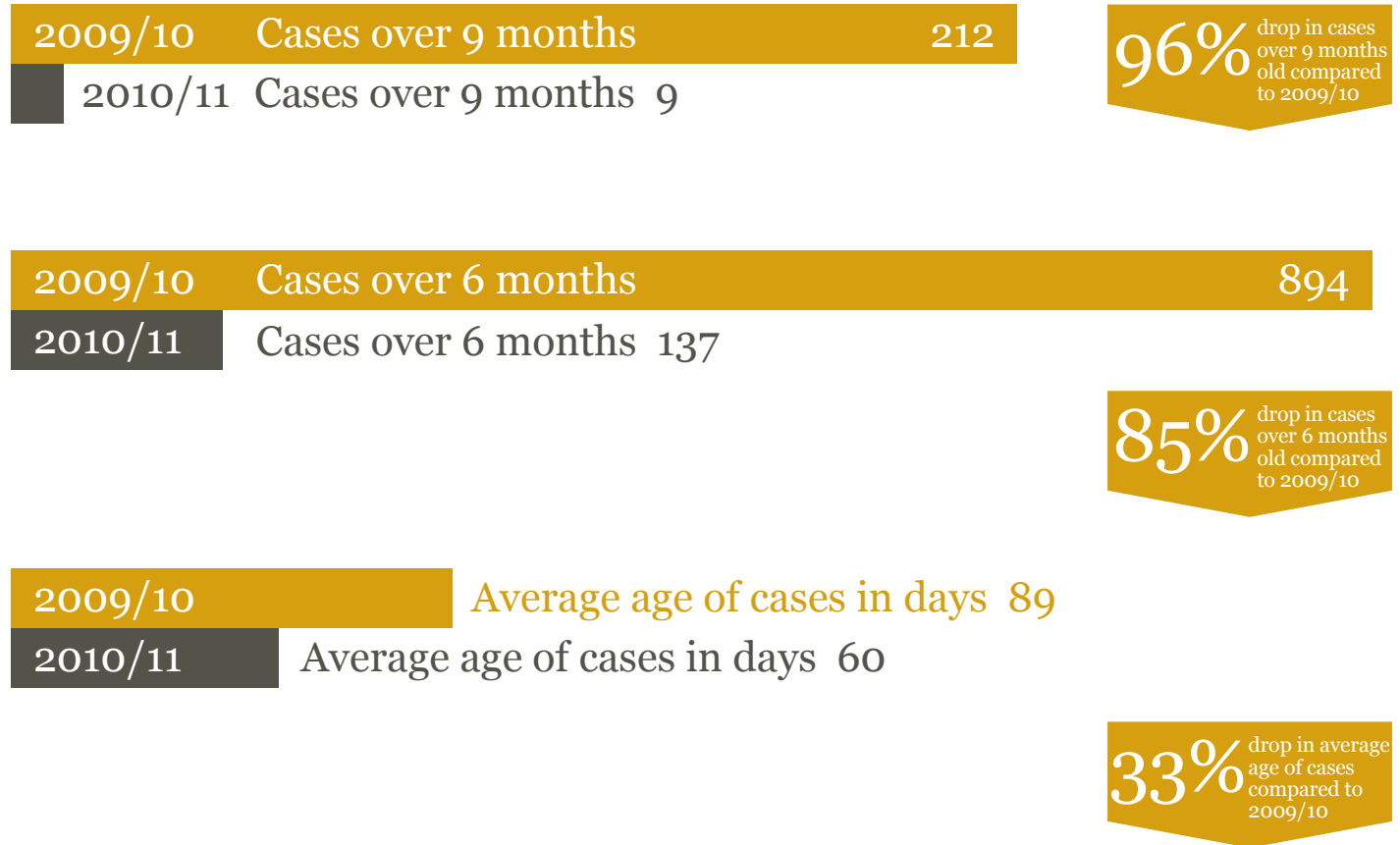
Casework received



Casework closed



Age of complaint caseload



Resolving freedom of information complaints

Reducing the time we are taking to resolve freedom of information complaints has remained a major focus of our attention.

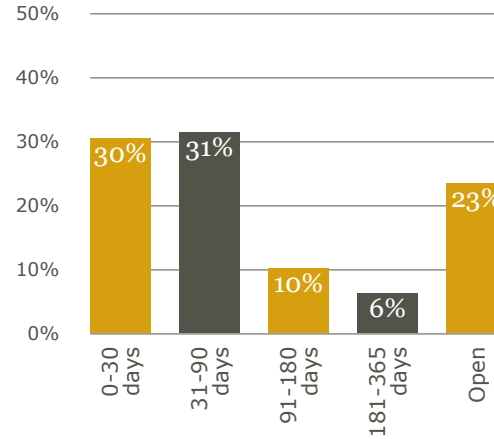
We began the year with 117 complaints over a year old. By the end of March 2011, this was reduced to just three complaints, all of which relate to complex issues and are under active investigation.

Freedom of information casework

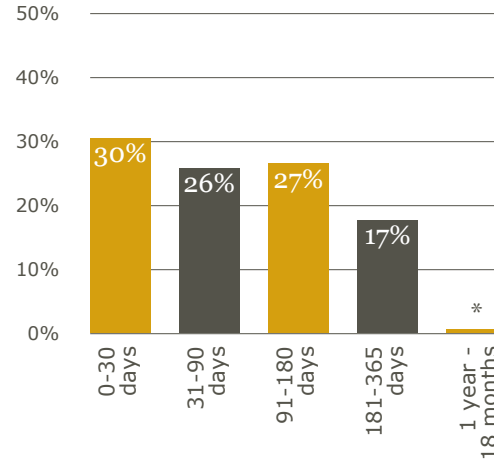
Received in year	4,374
Closed in year	4,369
Work in progress at 1 April 2010	1,035
Work in progress 31 March 2011	1,069

What happened to the complaint casework received

Closed in 30 days or less	30%
Closed in 90 days or less	61%
Closed in 180 days or less	71%
Closed in 365 days or less	77%
Open on 31 March	23%



Age distribution of complaint caseload



* Three complaints

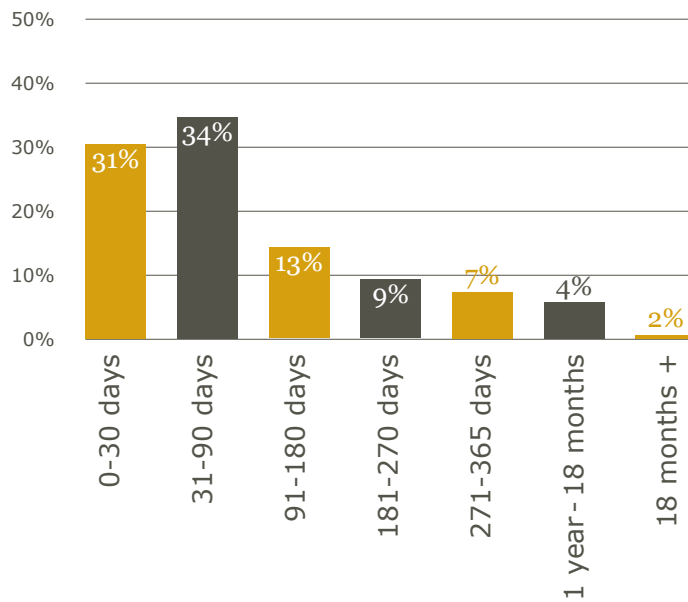
Age distribution of finished complaint casework

30 days or less 31%

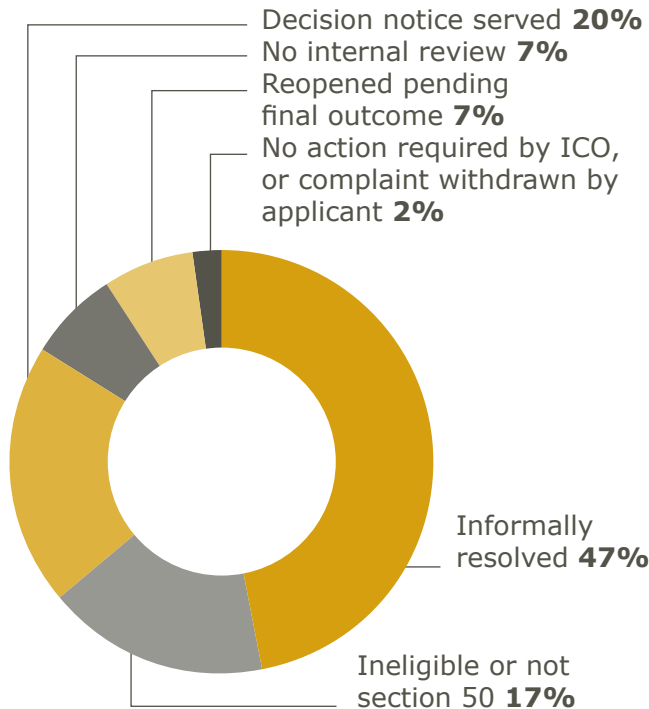
90 days or less 65%

180 days or less 78%

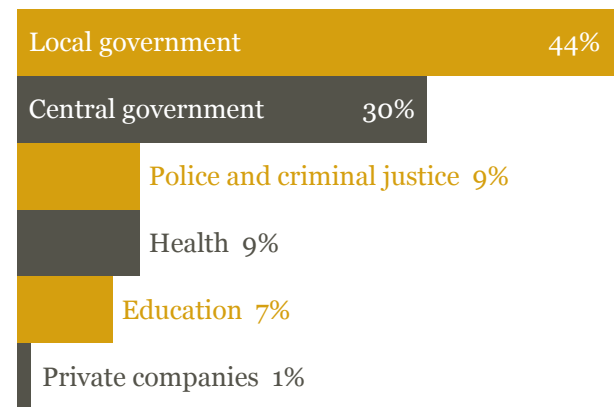
365 days or less 94%



Outcomes of cases for casework finished this year



Areas generating most complaints where sector is specified



Outcome of complaint casework where a decision notice has been served		
Total served	817	
Complaint upheld	215	26%
Complaint not upheld	369	45%
Partially upheld	233	29%

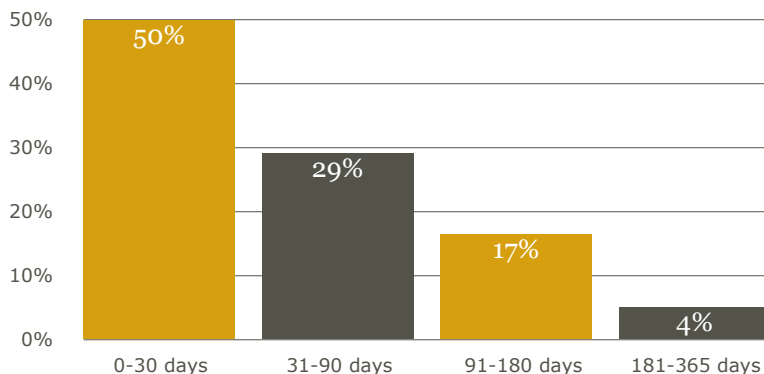
Resolving data protection complaints

We made considerable progress in shrinking the age profile of our data protection caseload, reducing the number of cases over nine months old by 96%, and cases over six months old by 85%.

Data protection casework

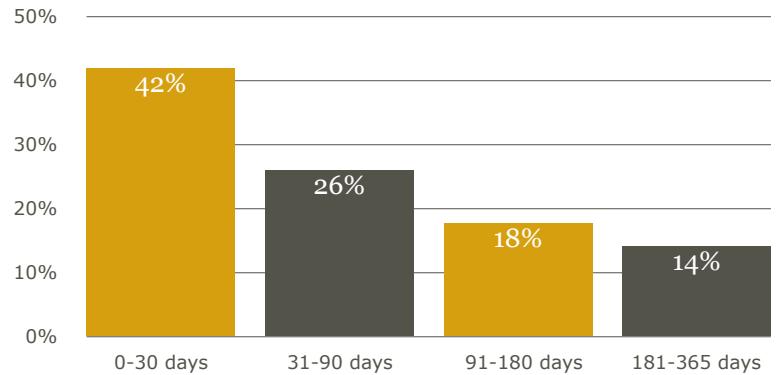


Age distribution of caseload

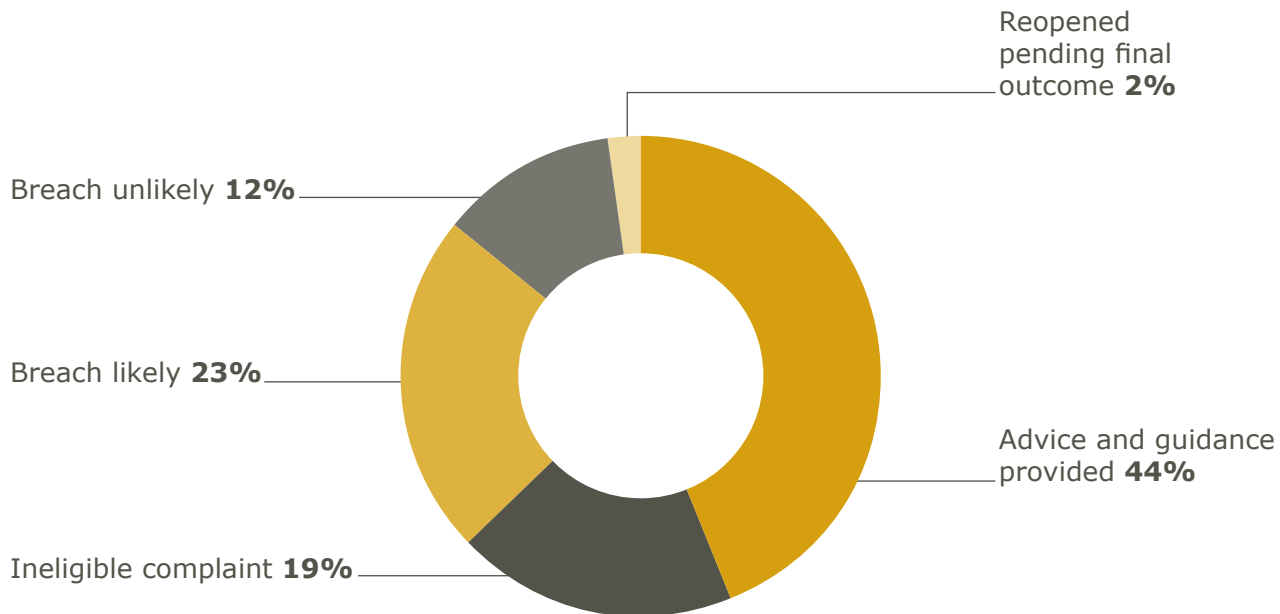


Age distribution of finished casework

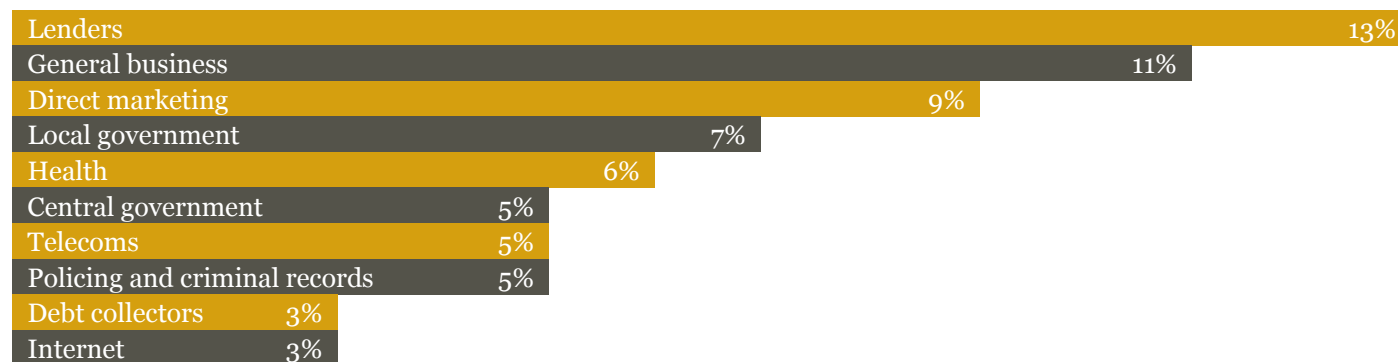
30 days or less	42%
90 days or less	68%
180 days or less	86%



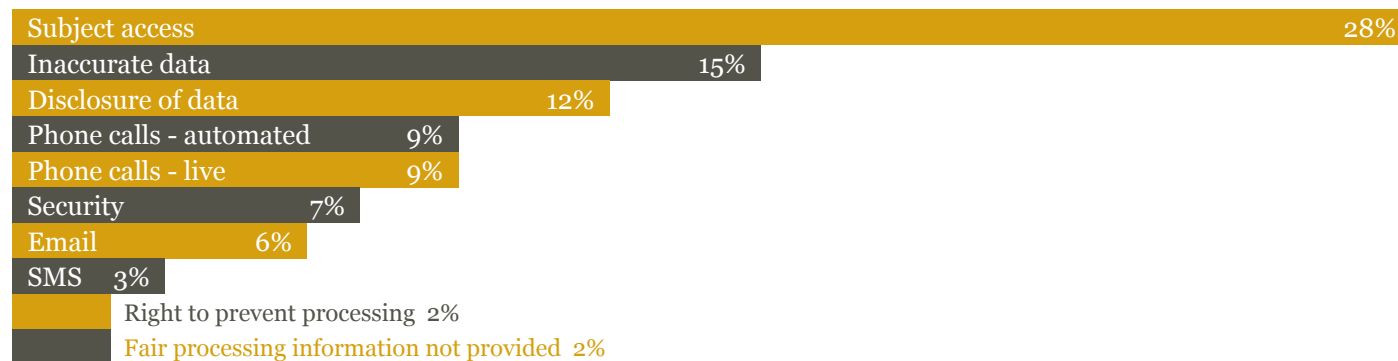
Outcomes of cases for casework finished this year



The top 10 areas generating most complaints where sector is specified



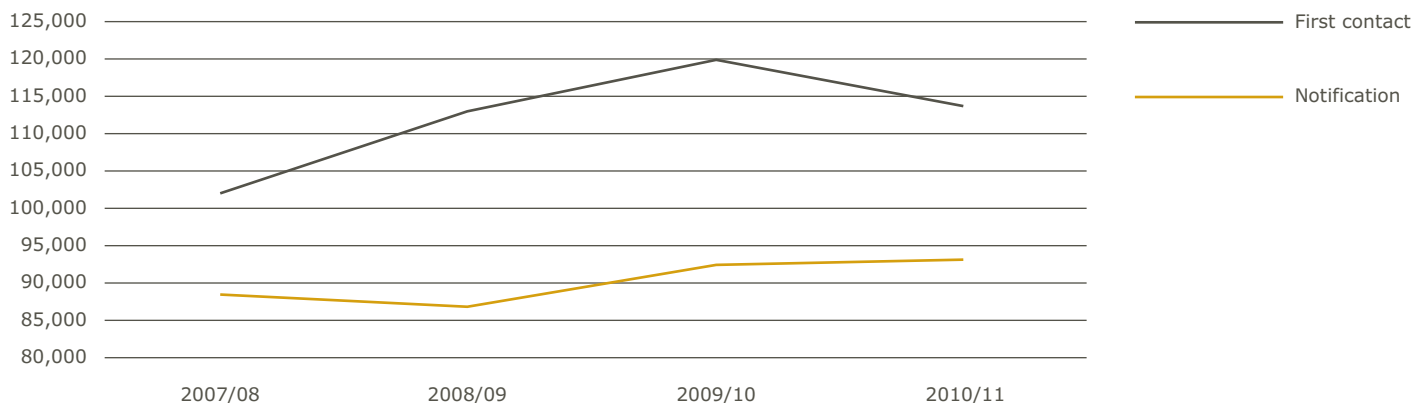
Top 10 reasons for complaining



Help and advice

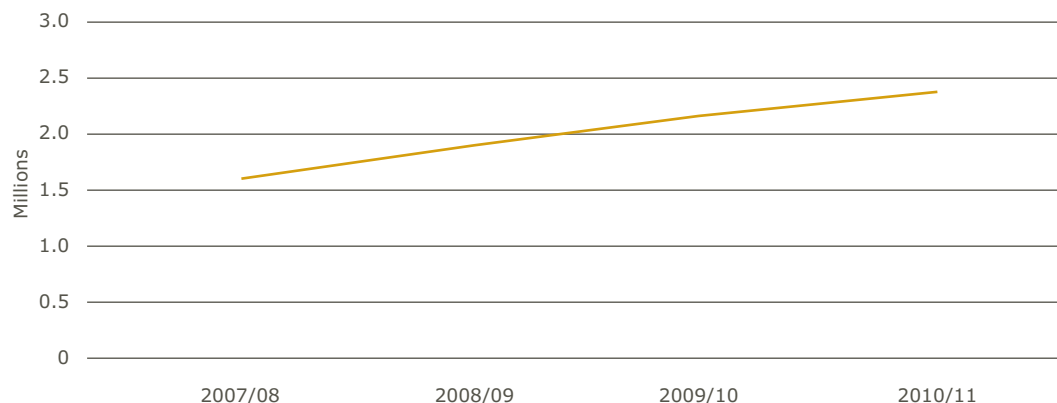
Over 98% of customers calling our helpline have their questions answered by the first person they speak to.

Calls made to our helpline



We continue to work hard to provide organisations and the public with enough information to enable them to resolve problems themselves. We use our website and helpline to help us achieve this aim. In particular, we make sure that the website is updated to provide help on how to deal with current issues and answers to frequently asked questions. For example, during high profile cases like the civil monetary penalty we served against ACS Law and public concern about the actions of Google Street View, we made sure our website and helpline contained information to help customers so they only needed to contact us if they were directly affected by the issue.

Visitors to the website



Our provision of written advice has improved during the year and is now provided within 30 days or less. We deal with 46% of the complaints we receive within 60 days of receiving them.

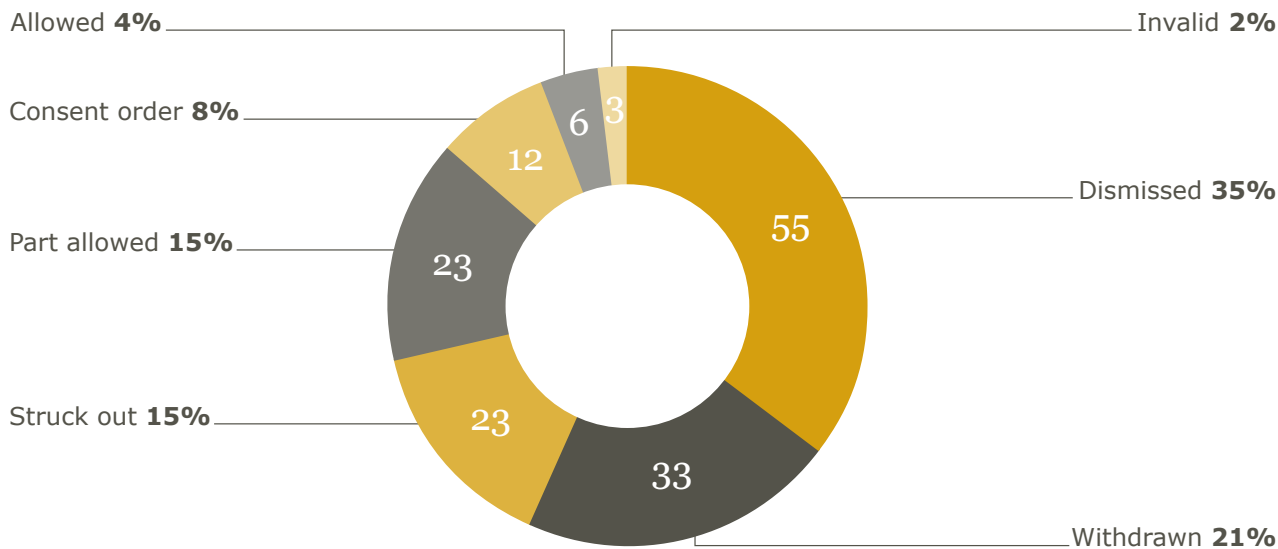
Appeals to the Information Tribunal

We issued 817 decision notices under the Freedom of Information Act and Environmental Information Regulations, compared to 628 in 2009/10.

There were 202 appeals against our decisions (25%), a level consistent with 2009/10 in which 161 cases were appealed (26%).

170 (84%) of appeals were made by complainants, 32 (16%) were made by public authorities.

The Information Tribunal determined 155 appeals in 2010/11.
The outcome was as follows:



Audit – an integral part the ICO’s work

Our good practice audits are designed to help organisations meet their data protection obligations through sharing good practice and making helpful and practical recommendations.

We issued 26 audit reports, 60% more than in 2009/10. A further seven audit fieldwork visits were completed.



Case study – ICO audit

We contacted over 100 organisations, both private and public sector, to make them aware of the consensual audit service the ICO offers and to explain the benefits of agreeing to take part in the programme. These include improved understanding and awareness of the need to protect personal data and sharing knowledge with experienced ICO staff who provide practical, pragmatic and organisational-specific recommendations.

Of the organisations we approached, 30% agreed to take part in a consensual audit. The response varied between sectors, with the most positive response from central government departments, who are also subject to our power of compulsory audit via Assessment Notices. There was also a good response from other public sector organisations, in particular those contacted in the policing and local government sectors.

We also wrote to private sector organisations, and received interest from a wide range of businesses, in particular in the banking, finance and telecommunications sectors. However, only 19% of private sector companies approached agreed to an audit, compared to 71% of public sector organisations. Encouraging businesses to engage with the audit process will be a continued focus for the year ahead.

Consensual audits are seen as key in proactively working with data controllers to help and educate organisations to meet their data protection obligations. The audit programme has historically been focussed on large, public sector organisations and one of the challenges in the year was to increase the number of audits and to diversify the types of organisations we work with.

Monetary penalties and other enforcement action

We issued our first four monetary penalty notices. None of these was appealed.

The power to impose a monetary penalty relates to serious breaches of the data protection principles occurring after 6 April 2010. To begin, we had to develop procedures for deciding when a monetary penalty is appropriate; we continued to refine the process and have developed a framework for deciding the amount of the monetary penalty.

Details of the first four cases attracting a Civil Monetary Penalty:

Hertfordshire County Council: fax addressing error.

Papers concerning a live court case involving detailed allegations of the sexual abuse of a child were faxed to a member of the public in error. A very similar incident then occurred 13 days later.

Contributory factors in our decision to issue a monetary penalty were:

- The lack of a risk assessment in respect of such sensitive faxes.
- The failure to devise alternative secure electronic means for the correspondence of such data.
- The failure to employ a 'ring ahead' system for secure fax transmissions and failure to use a cover sheet. (As a consequence the data controller was unaware of the data loss until a member of public reported it).
- A live court case could have been jeopardised.

- The remedial action taken was to hurriedly draft ineffectual policy changes and fail to ensure the re-education of appropriate staff.
- The almost identical breach occurring 13 days later.
- The council demonstrated lack of understanding of the cause and significance of the breach.

Consequently it was considered the criteria for a monetary penalty had been met, and a penalty of £100,000 was issued in November 2010.

A4e Limited: loss of an unencrypted laptop containing 24,000 data sets.

An unencrypted laptop with sensitive personal data of 24,000 individuals was stolen from the home of a private company's employee.

The company had issued the unencrypted laptop in breach of its own policies, knowing that the employee would work remotely and with a large amount of sensitive personal data.

The company was aware that some employees had problems with remote access to its server.

The company ran two legal advice centres. Each month, the employee produced statistical reports about these operations on the laptop. These reports allowed individual clients to be identified.

The reports contained information about individuals' social status, reason for seeking advice, disability, ethnic origin, criminal record and other sensitive personal data.

Consequently it was considered the criteria for a monetary penalty had been met, and a penalty of £60,000 was issued.

Ealing Council and Hounslow Council: loss of two unencrypted laptops.

Two separate councils were involved in the same breach.

Two unencrypted laptops with sensitive personal data of approximately 1,700 individuals were stolen from a council employee's home.

Ealing Council had issued an unencrypted laptop in breach of its own policies, knowing that the employee would work from home and deal with large amounts of sensitive personal data. The employee was also using a personal laptop to carry out the same work.

Ealing Council ran an out of hours service on behalf of itself and Hounslow Council. Hounslow Council did not have a written contract in place to enable the sharing of data.

Nine members of staff worked in the team and each used laptops as they needed to react promptly in casework matters.

No checks were carried out by management to establish with certainty what equipment was in use by employees. The laptops contained an array of sensitive personal data.

The decision was made to issue monetary penalties of £80,000 and £70,000.

Taking enforcement action

Last year, we obtained 44 data protection undertakings and two relating to freedom of information.

As well as including a commitment to make specific improvements, some undertakings also commit the organisation to allowing the ICO to conduct an audit. An example of this is the undertaking signed by Google, in which Google agreed to an ICO audit taking place within nine months.

We took prosecution action in five cases, two of these relating to offences for unlawfully obtaining personal data. Both defendants in these cases pleaded guilty in the Crown Court. The other three cases, involving two estate agents and one private investigator, were prosecuted in the Magistrates Court for failing to notify the Commissioner that they were processing data electronically. All three defendants had failed to respond to correspondence from the office reminding them of their requirement to notify.

We issued one freedom of information enforcement notice and introduced a monitoring programme to identify public authorities who were not meeting their obligations to deal with freedom of information requests in a timely manner.

This monitoring has been a great success with 19 out of 33 monitored public authorities showing such improvement that no further action was necessary.



Case study – Google Street View

The pace of technological change and the ingenuity used to acquire and exploit individual personal information for commercial purposes has been relentless. The fact that the accompanying safeguards have often not kept pace is disappointing; all the more so when major technology companies have been the culprits. We joined with international colleagues to stress that fundamental data protection safeguards need to be incorporated into the design of online services in particular.

Google's capture of Wi-Fi payload data when collecting images for its Street View service is a case in point. We concluded that there was a significant breach of the Data Protection Act when Google Street View cars collected this data as part of their Wi-Fi mapping exercise in the UK.

Google was required to sign an undertaking which commits the company to improve training on security awareness and data protection issues for all employees. The company promised to require its engineers to maintain a privacy design document for every new project before it is launched. Google was also required to delete the payload data that it had inadvertently collected in the UK.

To make sure they live up to their commitments, we will conduct an audit of Google's implementation of these privacy policy changes in their UK operations. These will be outlined in a Privacy Report produced by Google, which will cover its internal privacy structure, privacy training and awareness programme and privacy reviews. We will then audit the findings and accuracy of this report within nine months of signing the undertaking.

Ensuring organisations notify

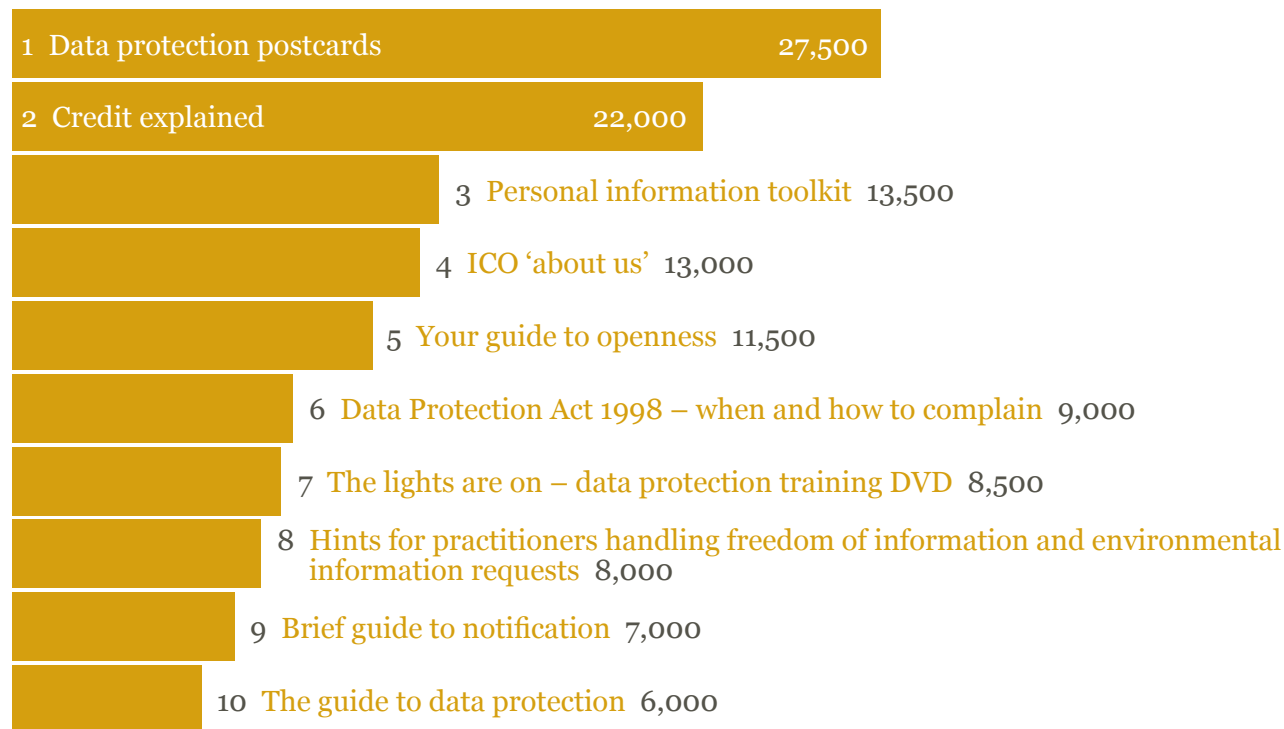
We continue to look out for organisations who should notify with us but haven't. In particular we targeted private medical practitioners and estate agents to make them aware of their obligations.

Over 42,000 new notifications were received, of which 3,314 were as a direct result of our targeted campaigning. The number of estate agents on the register increased from 3,617 to 4,312, an increase of 19%. The number of private doctors and other private medical practitioners increased from 10,503 to 13,122, an increase of 25%.

Our 10 most popular publications

You can see information about the ICO's work and information rights on our website www.ico.gov.uk, and can request hard copies of our publications. The 10 most requested publications in 2010/11 were:

Rank Publication Total requests



Summary Financial Statement for the year ended 31 March 2011

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General to the Houses of Parliament
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Statement of the Information Commissioner

This Summary Financial Statement is a summary of information extracted from the annual accounts and remuneration report, and does not contain sufficient information to allow for a full understanding of the financial affairs of the Information Commissioner.

For further information, the full annual accounts and the auditor's report on those accounts should be consulted. These are available free of charge on request from the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or the website www.ico.gov.uk.

The full accounts were signed by the Information Commissioner on 27 June 2011.

The Comptroller and Auditor General has issued an unqualified certificate on the full annual financial statements, the auditable part of the remuneration report and on the consistency of the Governance and Foreword section of the Annual Report with those annual financial statements. The Comptroller and Auditor General did not report on any matters by exception.

Christopher Graham
Information Commissioner
29 June 2011

Statement of the Comptroller and Auditor General to the Houses of Parliament

I have examined the Summary Financial Statement of the Information Commissioner for the year ended 31 March 2011. These comprise a Statement of Comprehensive Net Expenditure, a Statement of Financial Position and a summary of the remuneration paid to the Information Commissioner and senior officials.

Respective responsibilities of the Information Commissioner and Auditor

The Information Commissioner is responsible for preparing the Summary Financial Statement in accordance with applicable United Kingdom law.

My responsibility is to report to you my opinion on the consistency of the Summary Financial Statement and its compliance with the relevant requirements of the Government Financial Reporting Manual (FReM).

I also read the other information contained in the Annual Report Summary and consider the implications for my report if I become aware of any apparent misstatements or material inconsistencies with the Summary Financial Statement.

I have conducted my work in accordance with Audit Bulletin 2008/3 issued by the Auditing Practices Board. My certificate on the full Annual Report and Accounts of the Information Commissioner describes the basis of my opinion on those financial statements, the remuneration report and the sections: Information Commissioner's Foreword, Educating and Influencing, Developing and Improving and the Foreword to the Financial Statements.

Opinion

In my opinion the Summary Financial Statement is consistent with the full Annual Report and Accounts of the Information Commissioner for the year ended 31 March 2011 and complies with the applicable requirements of the FReM.

Amyas C E Morse
Comptroller and Auditor General

National Audit Office
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30 June 2011

Statement of comprehensive net expenditure for the year ended 31 March 2011

	2010-11		2009-10 RE-STATED	
	£'000	£'000	£'000	£'000
Expenditure				
Staff costs		11,219		10,693
Depreciation	1,221		901	
Other expenditures	7,622		7,097	
		8,843		7,998
		20,062		18,691
Income				
Income from activities		(14,965)		(13,192)
Other income		(258)		(17)
		(15,223)		(13,209)

Net expenditure	4,839	5,482
Interest payable (receivable)	14	(1)
Net expenditure after interest	4,853	5,481
Other comprehensive expenditure		
Net loss on revaluation of property, plant and equipment	(31)	(258)
Total comprehensive expenditure for the year ended 31 March 2011	4,822	5,223

Statement of financial position

as at 31 March 2011

	31 March 2011		31 March 2010	
	£'000	£'000	£'000	£'000
Non-current assets				
Property, plant and equipment	4,921		3,282	
Intangible assets	363		76	
Total non-current assets		5,284		3,358
Current assets:				
Trade and other receivables	660		530	
Cash and cash equivalents	828		377	
Total current assets		1,488		907
Total assets		6,772		4,265

Current liabilities

Trade and other payables	(624)	(831)
Total current liabilities	(624)	(831)
Non-current assets plus net current assets	6,148	3,434

Non-current liabilities

Provisions	(93)	-
Assets less liabilities	6,055	3,434

Reserves

Revaluation reserve	223	231
General reserve	5,832	3,203
	6,055	3,434

Summary of the remuneration paid to the Information Commissioner and senior officials

The following table provides details of the remuneration of the Information Commissioner and the most senior officials employed by the Information Commissioner.

	2010-11 £'000	2009-10 £'000
Salary		
Christopher Graham, Information Commissioner and Chief Executive (from 29 June 2009)	140-145	105-110
David Smith, Deputy Commissioner & Director for Data Protection	75-80	70-75
Graham Smith, Deputy Commissioner & Director for Freedom of Information	80-85	80-85
Simon Entwisle, Director of Operations	80-85	80-85
Susan Fox, Director of Corporate Affairs	55-60	55-60
Victoria Blainey, Director of Organisational Development	50-55	50-55
Robert Chilton, Non-Executive Board Member (to 31 July 2010)	0-5	10-15
Andrew Hind, Non-Executive Board Member (from 01 September 2010)	5-10	n/a
Neil Masom, Non-Executive Board Member	10-15	0-5
Jane May, Non-Executive Board Member (from 01 May 2010)	10-15	n/a
Enid Rowlands, Non-Executive Board Member	10-15	0-5
Clare Tickell, Non-Executive Board Member (to 30 April 2010)	0-5	10-15

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