

## Case Outcome descriptions

### Data protection complaints

There are two main high level decisions, these are 'No further action' or 'Action taken'. You should add as much detail as possible and further guidance is detailed in the tables below.

Where high level decision is '**No further action**':

<b>Second tier</b>	<b>Third tier</b>	<b>When to use</b>
No infringement	Good practice advice provided	Where advice has been provided to a controller about compliance but there is no evidence of non-compliance.  <i>Example: Where the organisation has complied with its obligations but best practice advice is given</i>
No infringement	No action	Where a data protection matter is raised but there is no infringement.  <i>Examples:</i> <ul style="list-style-type: none"> <li>• <i>Complaint is withdrawn</i></li> <li>• <i>Complaint raised but organisation has complied with its obligations</i></li> </ul>
No action	Insufficient information to proceed	When we have not been provided with sufficient information to progress the complaint.  <i>Example: Where there is insufficient information for us to proceed with the complaint.</i>
Not information rights	Not DP	When the complaint is not a data protection matter.  <i>Example: Complaint does not fall within ICO's remit, eg a customer service issue or request submitted isn't about personal data</i>
No order made		When no order is being considered.  This should only be used for complaints regarding S.159 of the Consumer Credit Act 1974.

Where high level decision is '**Informal Action Taken**':

<b>Second tier</b>	<b>Third tier</b>	<b>When to use</b>
Potential infringement	More work for org – failed to respond to individual complaint	For cases dealt with under the accountability principle. Where there is further work for the organisation as they did not respond to the complaint but we do not have evidence of an infringement.
Potential infringement	More work for org – unsatisfactory response to individual complaint	For cases dealt with under the accountability principle. Where the organisation has provided an unsatisfactory response to the individual but we do not have evidence of an infringement.
Potential infringement	More work for org – contacted to raise awareness	For cases dealt with under the accountability principle. Where we are making the organisation aware of an individual's complaint but we do not have evidence of an infringement.  <i>Examples:</i> <ul style="list-style-type: none"> <li>• Cases linked to a data breach</li> <li>• Cases where the organisation has advised that they have done something but the individual says they have not.</li> </ul>
Potential infringement	DP complaint resolved by org	For cases dealt with under the accountability principle. Where we do not have evidence of an infringement and the complaint has already been resolved.  <i>Example: Individual complains about a late SAR but the organisation has already provided a response</i>
Infringement	More work for org – failed to respond to individual complaint	For any cases where there is further work for the organisation as they did not respond to the complaint and we have evidence of an infringement.
Infringement	More work for org – unsatisfactory response to individual complaint	For any cases where the organisation has provided an unsatisfactory response to the individual and we have evidence of an infringement.
Infringement	More work for org – contacted to raise awareness	For any cases, where we are making the organisation aware of an individual's complaint and have evidence of an infringement.

		<p><i>Examples:</i></p> <ul style="list-style-type: none"> <li>•Cases linked to a data breach</li> <li>•Cases where the organisation has advised that they have done something but the individual says they have not.</li> </ul>
Infringement	DP complaint resolved by org	<p>For any cases where we have evidence of an infringement but the complaint has already been resolved.</p> <p><i>Example: Individual complains about a late SAR but the organisation has already provided a response</i></p>

Where high level decision is '**Regulatory Action Taken**':

<b>Second tier</b>	<b>When to use</b>
Reprimand issued	When a formal reprimand has been issued to the controller
Advisory visit recommended	Where an advisory visit has been recommended as the next action
Compliance audit recommended	Where a compliance audit has been recommended as the next action
Enforcement Notice	Where an enforcement notice has been issued
Administrative – lower tier fine	Where a fine has been issued – should complaints issue a fine it will likely be the lower tier of fine
Administrative – middle tier fine	Where a fine has been issued
Administrative – higher tier fine	Where a fine has been issued
Order made	Where an order has been made but a notice is not being issued. This should only be used for complaints regarding S.159 of the CCA.
Warning notice issued	Where a warning notice has been issued

