

5 June 2023

IC-233290-S5C2

Request

You asked us:

"Q1. Please can you look to disclose any information regarding your organisations' policies/procedures or best practice guidance on restricting members of the public from covertly audio/video recording members of your staff?"

Q2. Please can you look to disclose any information regarding your policies/procedures or best practice guidance on restricting members of the public from publishing said recordings in Q1 on social media platforms such as Facebook or Youtube without your recorded staff members' prior consent or permission?"

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

Our response

We interpreted your request as being for policies held by the ICO on restricting members of the public from covertly recording ICO staff members specifically.

I can confirm that we do not hold information in scope of your request.

However, I should advise that the data protection legislation can apply to recordings or surveillance of third party individuals by members of the public, particularly if such recordings are not solely intended for domestic use.

As the data protection regulator, the ICO can offer more detailed guidance on this topic in practice as a general query about the data protection legislation.

I would recommend you contact the ICO's advice service directly, either via our helpline on 0303 123 1113, via the [livechat service on our website](#) or by email via icocasework@ico.org.uk, for more information on this.

Next steps

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full review procedure [here](#).

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint through our website](#).

Your information

Our [Privacy notice](#) explains what we do with the personal data you provide to us, and set out your rights. Our retention schedule can be found [here](#).

Yours sincerely



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