

2 August 2023

IC-247494-D3P1

Request

You asked us:

"I would like to know under the FOI act the number of complaints made to you against Derbyshire Dales District Council. These complaints to you will have arisen following an internal review of an FOI request and the complainant was unhappy with the outcome of the internal review. I would like the total number off all complaints since 2000 to the current day and also the number in the last 10 years.

I would also request the how many (approx) of these complaints were successful in that the ICO ruled that Derbyshire Dales had failed to provide the information they should have under the FOI act.

I further if possible would like to know if any of these complaints are related to unaccountability of spending, lack of audit trails , lack of documentary evidence, denial that emails and written evidence exists and how many in last 10 years."

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

Our response

We have searched our records based on the information you have provided. We interpreted your request as being for the total number of complaints made to the ICO regarding Derbyshire Dales District Council (DDDC) under section 50 of the Freedom of Information Act 2000 since the year 2000, along with the outcomes.

You also asked us to confirm which of these complaints specifically related to the list of topics you provided with your request since 2013, along with the total number that fit this criteria.

It is important to note that our retention schedule for FOI complaints cases is two years following case closure. This means that we do not hold a complete record of all FOI complaints raised with the ICO for the entire timeframe that you have specified, particularly where no decision notice was issued on the case.

I can confirm that we hold information relating to five complaints in total.

The ICO proactively publishes decision notices issued under the FOIA and Environmental Information Regulations on our website and you can access information about these cases via [the decision notices section of our website](#).

We have published decision notices relating to two of the five complaints under the references [FS50629174](#) and [FS50644165](#), including details regarding the circumstances of these complaints.

Of these two decision notices, only FS50629174 relates to the topics identified in your above request. The requester's complaint raised concerns over the non-disclosure of emails that they believed should have been provided by DDDC.

The outcomes of these two cases are as follow:

FS50629174	<i>Complaint not upheld</i>
FS50644165	<i>Complaint not upheld</i>

Because this information is already reasonably accessible to you, technically it is withheld under section 21 of the FOIA. Section 21 states that we don't need to provide you with a copy of information when you already have access to it.

The ICO also proactively publishes data sets of complaints in the [complaints and concerns data sets](#) on our website. These data sets are published in .csv format and are searchable by organisation name and case reference number.

As published in our [data sets of complaints under section 50 of the FOIA](#), we hold outcomes regarding three further complaints within scope of your request, as follows:

IC-67981-D4G0	<i>Closed, no further action, complaint withdrawn</i>
IC-43585-Z6G1	<i>Closed, no further action, insufficient information to proceed</i>
IC-122604-C2L7	<i>Closed, no further action, insufficient information to proceed</i>

Again, because the information above is already reasonably accessible to you, technically it is withheld under section 21 of the FOIA.

I can confirm in this instance that these further three topics do not relate to the above list of topics identified in your request.

This means that, of the FOI complaints held by the ICO about DDDC, the total number of FOI complaints related to the above list of topics since 2013 is one, this being FS50629174. However, we reiterate that we don't hold a complete record for the entire timeframe specified.

This concludes our response to your request.

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