

9 November 2023

IC-267839-M9S1

Request

'Policy for Transparency - Criminal Investigations of ICO staff'

Can you please supply all info on the policy that was changed?

How long was previous version in operation?

Why was it made less transparent?

Who represented the public's interests in discussions.

Please [sic] supply all meeting minutes and opinions and legal advice obtained on the subject.

Your request, received on 1 November 2023, has been handled under the Freedom of Information Act 2000 (the FOIA).

Response

We are refusing to respond to your request because it is vexatious.

Section 14 (1) FOIA states that:

'14.—(1) Section 1(1) does not oblige a public authority to comply with a request for information if the request is vexatious.'

The ICO's guidance explains that when deciding on whether or not a request is vexatious, the key question to be asked is, *'...whether the request is likely to cause a disproportionate or unjustified level of disruption, irritation or distress'*.

This request is broadly similar to the following requests submitted to the ICO and which were both refused as vexatious:

[What prompted the need to change the policy for Criminal Allegations Against ICO Staff - a Freedom of Information request to Information Commissioner's Office - WhatDoTheyKnow](#)

[Recent Changes to Investigations Policy for Alleged Criminal Breaches by ICO Staff - a Freedom of Information request to Information Commissioner's Office - WhatDoTheyKnow](#)

We understand that your request forms part of a coordinated campaign and attempts to circumvent previous refusals.

For a more detailed explanation of our reasoning, we refer you to our previous responses on the above links.

This concludes our response to your request.

FOI review procedure

If you are dissatisfied and wish to request a review of our decision or make a complaint about how your request has been handled you should write to the Information Access Team at the address below or e-mail icoaccessinformation@ico.org.uk.

Your request for internal review should be submitted to us within 40 working days of receipt by you of this response. Any such request received after this time will only be considered at the discretion of the Commissioner.

If having exhausted the review process you are not content that your request or review has been dealt with correctly, you have a further right of appeal to this office in our capacity as the statutory complaint handler under the legislation.

To make such an application, please write to our Customer Contact Team at the address given or visit our website if you wish to make a complaint under the FOIA.

Your information

Please note that our [Privacy notice](#) explains what we do with the personal data you provide to us and what your rights are. This includes entries regarding the specific purpose and legal basis for the ICO processing information that people that have provided us with, such as an [information requester](#).

The length of time we keep information is laid out in our retention schedule, which can be found [here](#).

Yours sincerely



Information Access Team
Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire
SK9 5AF

ico.org.uk twitter.com/iconews

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