

11 March 2024

**Reference number: IC-287795-N7S6**

**Request**

You asked us: "*...1. Between 1 January 2023 and 31 March 2023 inclusive, how many Freedom of Information request appeals against the Information Commissioner's Office have been dismissed or allowed by the First Tier Tribunal (FTT) (whether on the papers or with an in-person or online hearing) without the ICO submitting a skeleton argument?*

*2. Over the past six months, how many Freedom of Information request appeals against the Information Commissioner's Office have been dismissed or allowed by the First Tier Tribunal following an in-person or online hearing without the ICO attending or being represented at the hearing?*

*I am content for the request to be answered solely in respect of cases the ICO deems to be 'closed', as defined in its responses to IC-282722-N0T6 and IC-277686-K7L7..."*

We received your request on 12 February 2024.

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

**Our response**

Having searched our records, we can confirm that we hold information in the scope of your request.

In relation to request 1, our response is 35.

For context, there was 38 cases in the scope of this request.

In relation to request 2, our response is 27.

For context, the ICO considered 45 cases in total and found 37 to be in the scope of this request. The other cases were out of scope as they were heard 'on the papers'.

We would also like to advise that on one case, the ICO did not attend the first hearing but did attend the second hearing. As this case is both simultaneously in and out of scope of the request, it has not been included in the above figure of 27 but we are advising about it separately for completeness.

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](#) on our website.

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 sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely



Information Access Team  
Strategic Planning and Transformation  
Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF  
[ico.org.uk](http://ico.org.uk) [twitter.com/iconews](https://twitter.com/iconews)  
Please consider the environment before printing this email  
**For information about what we do with personal data see our [privacy notice](#)**