

30 March 2023

Reference number: IC-221703-G2K7

Request

You asked us: *"We write to request a copy of the outcome of your investigation in to Yodel following a cyber-attack incident which occurred on 19 June 2022...The initial notification letter from Yodel to the data subjects confirms that the incident was reported to you, but does not advise on the outcome, if any regulatory action was taken or if they were found to be in breach of Article 5(1)(f)."*

We received your request on 15 March 2023.

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

Our response

Having searched our records, I can confirm we hold information in the scope of your request. The ICO has investigated the aforementioned breach and decided it was not necessary to take any formal enforcement action.

The outcome letter has been withheld under section 44 of the FOIA.

Section 44(1)(a) states;

'(1) Information is exempt information if its disclosure (otherwise than under this Act) by the public authority holding it -

(a) is prohibited by or under any enactment'

The enactment in question is the Data Protection Act 2018. Section 132(1) of part 5 of that Act states that:

"A person who is or has been the Commissioner, or a member of the Commissioner's staff or an agent of the Commissioner, must not disclose information which—

(a) has been obtained by, or provided to, the Commissioner in the course of, or for the purposes of, the discharging of the Commissioner's functions,

(b) relates to an identified or identifiable individual or business, and

(c) is not available to the public from other sources at the time of the disclosure and has not previously been available to the public from other sources,

unless the disclosure is made with lawful authority."

Section 132(2) lists circumstances in which a disclosure can be made with lawful authority, however none of them apply here. As a result the information is exempt from disclosure.

I would like to advise you that any [action we take](#) against organisations is published on our website. We also publish the results of our [investigations](#).

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



Information Access Team
Risk and Governance Department, Corporate Strategy and
Planning Service
Information Commissioner's Office, Wycliffe House, Water
Lane, Wilmslow, Cheshire SK9 5AF
ico.org.uk twitter.com/iconews

Please consider the environment before printing this email

**For information about what we do with personal
data see our [privacy notice](#)**