

23 March 2023

ICO Case Reference IC-220821-D2J5

Request

On 12 March 2023 you made the following request:

How many Staff employed by the Information Commissioners Office have attended a Common Purpose training course or are members or have links to the Common Purpose organisation. Either in your employ or a previous employment.

We have dealt with your request in accordance with the Freedom of Information Act (2000).

Response

We are unable to confirm or deny the extent to which the requested information is held. Section 12(2) of the FOIA states that a public authority is not obliged to confirm or deny if requested information is held if the estimated cost of establishing this would exceed the appropriate cost limit.

This is because we would need to manually search all staff records. At present we have over one thousand members of staff. In relation to each member of staff there are various documents in which information about any Common Purpose membership and/or training might be recorded, including (but not limited to):

- Declaration of interest forms filled in by staff
- CVs and other information provided as part of the application process
- Records relating to staff performance
- Mentions of this within internal correspondence

Information about any Common Purpose membership or training is not collated in a centralised list, nor do we have a way to electronically extract this information in relation to all staff.

As an example, assuming it would take on average three minutes to search the records we hold for each member of staff (and in many cases these searches would take longer), this would equate to over 50 hours of work. The amount of information that would need to be searched would vary between staff and would depend on the duration of their employment and how many records we hold in relation to them.

We cannot guarantee the accuracy of manual searches, and any results would reflect only the number of staff who had reported membership and/or training and would only include information retained in accordance with our [retention policy](#).

You have also requested the information in relation to previous employment of staff members (i.e. prior to any appointment at the ICO). The ICO would only hold information relating to membership or training in previous employment if this information was submitted as part of the staff member's application process or was disclosed to us for a specific reason at any other point. There is no clear business need for us to retain a full record of which memberships and training current staff had while working for all of their previous employers.

Therefore any information held in relation to this aspect of your request would only be partial at best.

Section 12 of the FOIA makes clear that a public authority is not obliged to comply with an FOIA request if the authority estimates that the cost of complying with the request would exceed the 'appropriate limit'. The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 stipulates that the 'appropriate limit' for the ICO is £450. We have determined that £450 would equate to 18 hours work.

As confirming whether or not we hold the information requested would equate to over 83 hours of work, this is in excess of the 18 hours which would accrue a charge of £450 or less, triggering the provisions of section 12 of the FOIA.

Therefore we are refusing your request on this basis.

Advice and assistance

We may be able consider requests for about what we hold in relation to Common Purpose membership or training if the volume of information we would need to search falls within reasonable limits, for example specific timeframes (e.g. all

staff who began working at the ICO in 2023) or specific teams (e.g. the executive team).

If the numbers identified as a result are sufficiently small, we may need to consider whether disclosure might enable individuals to be identified. Any information considered to be the personal data of individuals may be exempt from disclosure.

On the other hand, even if we consider more specific search criteria, whether or not we can locate the information within the cost limit will depend on how closely these criteria align with what we are able to search for and the number of records involved. As mentioned we cannot guarantee the accuracy of results provided following manual searches, and consideration can also be given as to whether the value to the public of the information derived from such searches is proportionate to the effort to locate it, particularly given the issues regarding accuracy described.

This concludes our response to your request.

Next Steps

Please come back to us in the first instance if you would like a clarification or a review of the way your request has been handled. If you remain dissatisfied you can then request a review of our decision under the FOIA or make a complaint about how your request has been handled by writing to the Information Access Team at the address below or email 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 FOI Complaints & Appeals Department at the address below or visit our website if you wish to make a complaint under the Freedom of Information Act.

A copy of our review procedure can be accessed from our website [here](#).

Your rights

Our [privacy notice](#) explains what we do with the personal data you provide to us and what your rights are, with a specific entry, for example, for [an information requester](#). Our retention policy can be found [here](#).

Yours sincerely,



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Risk and Governance Department, Corporate Strategy and
Planning Service
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