

3 May 2023

Case reference IC-224897-C9C2

Request

You asked us:

"Could I please receive a copy of your Information Asset Register (IAR)."

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

Our response

We have searched our systems using the information you have provided and confirm that we hold information in scope of your request.

The ICO does not hold one central IAR, but holds IARs for each department and sometimes for specific projects. The IARs have been labelled accordingly in the attached bundle. The IARs are accurate at the time of your request (31 March 2023).

Each IAR includes two pages of guidance; a page with instruction on how to conduct a risk assessment and a sample risk assessment. To avoid duplication we have included these pages only once at the beginning of the disclosure bundle.

Some information has been withheld from disclosure. The relevant exemptions are explained below.

FOIA section 40(2)

You will see that some of the third party personal data has been redacted in our response. Where personal data has been redacted it has been replaced with [personal data].

The redacted personal data relates to some staff members of the ICO. The ICO discloses staff information in line with our [Disclosure of staff information policy](#). The staff names that have been redacted do not meet the conditions for disclosure as stated in our policy. The names of staff members that do meet the conditions for disclosure have not been redacted.

Section 40(2) of the FOIA exempts information if it is personal data belonging to an individual other than the requester and it satisfies one of the conditions listed in the legislation.

We find that the condition at section 40(3A)(a) applies in this instance: that disclosure would breach one of the data protection principles. The principles are outlined in the General Data Protection Regulation (GDPR) with the relevant principle on this occasion being the first principle as provided by Article 5(1): that personal data shall be processed lawfully, fairly and in a transparent manner.

We do not consider that disclosing this information into the public domain is necessary or justified. There is no strong legitimate interest that would override the prejudice to the rights and freedoms of the relevant data subjects. We have therefore taken the decision that disclosing this information would be unlawful, triggering the exemption at section 40(2) of the FOIA.

FOIA Section 31(1)

We are withholding information regarding the location of information as it is exempt from disclosure under section 31 of the FOIA. This includes information under the column 'Location' in each document, as well as some descriptive information in other columns that revealed the information's location. The places where information has been redacted are indicated with [withheld – s31].

Section 31(1)(a) of FOIA says:

Information is exempt if it's disclosure would *"likely prejudice:*

(a) The prevention or detection of a crime"

The disclosure of information about the internal location of information, particularly sensitive or confidential information, would directly impact our ability to perform our duties. This is because disclosure of this information to the wider world could create a security risk.

Clearly the ICO's capacity to defend itself from potential attacks relates to the purposes of crime prevention and thus s31(a) applies.

The exemption in section 31 is not absolute, and we must therefore consider the prejudice or harm which may be caused by disclosure of the information you have requested. We must also conduct a public interest test by weighing up the factors in favour of disclosure against those in favour of maintaining the exemption.

In considering the prejudice or harm that disclosure may cause we have taken into account the factors that would, in our view, impact on the release of the information.

Were the ICO to disclose the information about the specific locations of our information and documents it is likely that malicious parties could use the information to attack the ICO.

With this in mind, we have then considered the public interest test for and against disclosure.

In this case the public interest factors in disclosing the information are:

- Increased transparency regarding the operations of the ICO.

The factors in withholding the information are:

- the public interest in maintaining the ICO's ability to defend itself from security attack and thus continue to perform its public functions.
- the public interest in the ICO's demonstrating good practice in not unduly facilitating the committing of crimes against it by maintaining its own security and systemic integrity.

Having considered all these factors we have taken the decision that the public interest in withholding the information outweighs the public interest in disclosing it.

We have not redacted or withheld any other information.

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



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Risk and Governance Department, Corporate Strategy and
Planning Service
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