

17 July 2023

IC-240997-B2R5

Request

"Dear @ICOnews please consider this an FOIA request for a copy of any document setting out the policy decision. Case reference: IC-233792-V3S4"

This refers to the expectation that you should raise your concerns with the data controller before bringing a complaint to us.

Your request, received on 27 June 2023, has been handled under the Freedom of Information Act 2000 (the FOIA).

Response

I can confirm that we hold some information in scope of your request.

We usually expect individuals to make a complaint to the organisation first, but this is not always appropriate. As the advice on our website states, we expect a complaint to the organisation to have been made first *"in most cases"*.

There are a number of references to this position on our website:

<https://ico.org.uk/make-a-complaint/data-protection-complaints/what-to-expect/>

<https://ico.org.uk/make-a-complaint/data-protection-complaints/data-protection-complaints/>

<https://ico.org.uk/about-the-ico/our-information/our-service-standards/>

This information is withheld under section 21 of the FOIA because it is accessible to you outside the FOIA.

We do not hold information relating to the formulation of the policy.

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



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