

11 August 2023

Reference number: IC-249575-W1Y9

Request

You asked us: *"Please provide copies of any internal documents produced by the ICO relating to data breach notifications made by organisations in the past 12 months. This might include monthly, quarterly, or annual summaries of breach notifications made to the ICO. These might also include aggregate statistics for each question on the ICO breach notification form."*

We received your request on 7 August 2023.

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

Our response

We hold information that falls under the scope of your request. However, searching for, retrieving and extracting the information would exceed the cost limit set out by section 12 of the Freedom of Information Act 2000 (FOIA).

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 states that the 'appropriate limit' for the ICO is £450. We have determined that £450 would equate to 18 hours work.

The requested information is not information we normally need for our purposes. Our case management system and document storage system is unable to run a quick automated report on this type of information.

Between 6 August 2022 and 6 August 2023, the ICO has received 9,982 personal data breach (PDB) notifications. Each one of these cases will have internal documents produced by the ICO as we have to draft an outbound letter to respond to each PDB notification we receive.

To locate the information you have requested would require a manual search of each of these cases. Assuming that each search would take approximately two minutes to complete – and it is certain that some searches would take much longer than that – this would equate to over 332 hours' worth of searching. This clearly exceeds the 18 hours which would accrue a charge of £450 or more, triggering the provisions of section 12 of the FOIA.

As well as this, there are other internal documents that will need to be considered. These will include:

- Emails between staff at the ICO.
- Referrals to other teams at the ICO.
- Documents regarding statistics and data sets.
- Procedures and policies.
- Training guides and manuals.

Please note, this list is not exhaustive and there may be other information for us to consider disclosing, however, it is certain that these additional searches will only increase the 332 hours mentioned above.

It may be possible to bring your request under the 18 hours limit. This may be possible to do by:

- Narrowing the date range.
- Naming specific organisations you are interested in.
- Requesting information solely about our PDB summaries and/or statistics.

Please note, if your request can be brought under 18 hours, the ICO would need to consider if it is in the public interest for us to dedicate the resources necessary to carry out any possible future searches or whether it represents an unreasonable burden on us as a public authority.

Noting you have specifically mentioned statistics, we would also like to advise that we publish PDB data sets on our [website](#).

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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