

1 June 2023

Case Reference: IC-235204-G2L2

## Request

On 17 May 2023 you made the following information request to the ICO:

*"Do you have accounts? What is your annual salary Mr Fitzgerald?"*

On 31 May 2023 you provided the following clarification:

*".accounts means financial accounts..full audited please for the last 3 years."*

You also confirmed that the second part of your request refers to Mike Fitzgerald.

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

## Response

In relation to part 1 of your request, our yearly, audited financial statements are included in our Annual Reports and can be found on our website:

<https://ico.org.uk/about-the-ico/our-information/annual-reports/>

These are available up to 2021-2022. Technically this information is exempt from disclosure in accordance with Section 21 of the FOIA, as the information is already reasonably accessible through means other than a request under the FOIA.

The 2022-2023 report is due to be published later this year (this is likely to be in July), therefore the information that covers from the end of the 2021-2022 report to the date of your request is withheld in accordance with Section 22 of the FOIA. This exempts information which is held with a view to its publication at

a future date and when it is reasonable in all the circumstances that the information should be withheld from disclosure until that date.

This is not an absolute exemption, which means we must consider the public interest in maintaining the exemption against lifting it. The factors in favour of lifting the exemption include:

- Providing information regarding ICO expenditure encourages openness and transparency and improved public confidence in the ICO.

The public interest factors in favour of maintaining the exemption include:

- The ICO has a history of publishing this information on a regular basis and has committed to publishing relevant accounts in the near future (and at that point the information will be in the public domain); and
- Earlier disclosure is not necessary to satisfy any pressing public interest at this time.

Having considered these factors we have taken the decision to withhold this information in accordance with Section 22 of FOIA.

In relation to the second part of your request, the Information Commissioner's Office uses a pay banding system for staff salaries. The Director of Digital IT and Business Services is a band G2 position. The current salary band for G2 is £79,804 - £102,949.

Mike Fitzgerald is the current post holder for this position and their salary falls within the £90,000-£95,000 range.

### **Advice and assistance**

Although our 2022-2023 annual report is not yet available, monthly management accounts are published on our website here, you will find these are available up to March 2023:

<https://ico.org.uk/about-the-ico/our-information/income-and-expenditure/>

This information is internal and not audited (audited information is published in the annual reports as explained above), but has been included because it may be of interest given the subject of your request.

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.

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,



Information Access Team  
Risk and Governance Department, Corporate Strategy and  
Planning Service  
Information Commissioner's Office, Wycliffe House, Water  
Lane, Wilmslow, Cheshire SK9 5AF  
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