

**Date:** 9 June 2023

**IC-230129-NOC8**

## Request

You asked us:

*"I would be grateful if you could provide the complaints statistics, outcomes of investigations for the following*

*Richmond upon Thames  
Achieving for Children  
Merton council  
South London Legal partnership  
Solicitors Regulatory Authority  
Bar Standards Association  
Sutton Council  
Southwark Council  
adopt South London  
CAFCASS  
Independent Review Mechanisim  
Coram  
Ofsted  
Department of Education  
National Audit Office  
Ministry of justice  
HMCTS  
West London family court*

*Please provide as table for n an attachment  
Dara for the past 7years  
Please ensure the nature of the complaints are evidenced."*

We received your request on 2 May 2023. We have handled your request under the Freedom of Information Act 2000 (the FOIA).

## Our response

We do hold information in scope of your request. However, we do not hold information as far back at seven years as per your request. I have therefore focused on the information we hold as far back as it goes.

You may not be aware, but we proactively publish our datasets on our website here: [Complaints and concerns data sets | ICO](#). You can find all our case work data sets there from Q4 2020/21 onwards.

To the extent that we have already published information in scope of your request, I consider it is exempt from disclosure by virtue of s.21 FOIA because you can find the information yourself in the datasets. Further information about this exemption has been provided below.

We have presently published information up to Q3 2022/23. To the extent that we hold information in scope of your request that does not yet form part of a published dataset because it is after Q3 2022/23, I consider it is exempt from disclosure by virtue of s.22 FOIA because the information is held with a view to its disclosure at a future date. Further information about this exemption has also been provided below.

This leaves a small amount of data relating to cases completed prior to January 2021, which we have not proactively published nor do we intend to publish. I have provided this information below in a table. The first column indicates the organisation name, the nature (eg whether it is DPA 18, GDPR, EIR, FOI, or some combination), and the outcome. The second column provides a total for each.

<b>Organisation, Nature, Action taken</b>	<b>Totals</b>
<b>Achieving For Children Limited</b>	<b>1</b>
<b>FOI:</b>	<b>1</b>
No Further Action	1
<b>Children and Family Court Advisory and Support Service (CAFCASS)</b>	<b>5</b>
<b>DPA 18, GDPR:</b>	<b>5</b>
Informal Action taken	3
No Further Action	2
<b>Department For Education (DFE)</b>	<b>15</b>

<b>FOI:</b>	<b>15</b>
Action taken	8
No Further Action	7
<b>London Borough of Merton</b>	
<b>DPA 18, GDPR:</b>	<b>2</b>
Informal Action taken	1
No Further Action	1
<b>EIR:</b>	<b>1</b>
Action taken	1
<b>FOI:</b>	<b>3</b>
No Further Action	3
<b>London Borough of Richmond Upon Thames</b>	
<b>DPA 18, GDPR:</b>	<b>1</b>
Informal Action taken	1
<b>FOI:</b>	<b>3</b>
No Further Action	3
<b>London Borough of Southwark</b>	
<b>DPA 18, GDPR:</b>	<b>2</b>
Informal Action taken	1
No Further Action	1
<b>EIR, FOI:</b>	<b>1</b>
No Further Action	1
<b>FOI:</b>	<b>12</b>
Action taken	3
No Further Action	9
<b>GDPR:</b>	<b>1</b>
Informal Action taken	1
<b>London Borough of Sutton</b>	
<b>DPA 18, GDPR:</b>	<b>1</b>
No Further Action	1
<b>FOI:</b>	<b>2</b>
No Further Action	2
<b>Ministry of Justice (MoJ)</b>	
<b>DPA 18, GDPR:</b>	<b>65</b>
Informal Action taken	54
No Further Action	11

<b>EIR:</b>	<b>1</b>
Action taken	1
<b>FOI:</b>	<b>40</b>
Action taken	11
No Further Action	29
<b>GDPR:</b>	<b>4</b>
Informal Action taken	2
No Further Action	2
<b>Office for Standards in Education, Childrens Services and Skills (OFSTED)</b>	
<b>DPA 18, GDPR:</b>	<b>2</b>
Informal Action taken	1
No Further Action	1
<b>FOI:</b>	<b>1</b>
Action taken	1
<b>Grand Total</b>	
	<b>163</b>

Further, the following investigation outcomes are held prior to January 2021:

<b>Organisation, Nature, Action taken</b>	<b>Totals</b>
<b>Department for Education</b>	<b>1</b>
<b>GDPR</b>	<b>1</b>
Assessment Notice Served	1
<b>Ministry of Justice</b>	
<b>GDPR</b>	<b>5</b>
No further action	2
No action for DC	1
NFA – In line with Regulatory Action Policy	2

I hope you find the information useful.

### **Information exempt – s.21 FOIA**

Please note that although we hold information falling with the scope of your request it is available to you outside of FOIA because we proactively publish our [complaints and concerns datasets](#), from which you can find the information you're looking for yourself.

As a result, the information we hold is withheld in reliance on section 21 of the FOIA. This exempts information which is reasonably accessible to the applicant through means other than a request under the FOIA.

It is an absolute exemption, which means it is not necessary for us to consider any public interest test.

### **Information exempt – s.22 FOIA**

Please note that the information you have requested is set to be published in the future through future releases of our complaints and concerns datasets.

This means we can withhold the information in response to your request as section 22 of the FOIA applies. 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. On the one hand, I consider there is an appreciable public interest in statistical data arising out of our casework broadly. However, on the other hand, there is a greater public interest in us allocating our resources effectively. Given that we have an established track record of publishing data sets through an established workstream, preparing a custom dataset to satisfy requests would be a duplication of work. I do not consider preparing an additional dataset outside of that schedule is an effective or efficient allocation of our resources.

On balance, I consider the public interest is in favour of withholding the information until our next dataset is released.

### **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



Information Access Team  
Risk and Governance Department, Corporate Strategy and  
Planning Service  
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