

10 July 2023

IC-242274-R1H5

Request

You asked us:

"Could you please send me the records of the ICO's policies regarding the powers set out in Section 149 of the Data Protection Act?"

We received your request on 3 July 2023.

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

Our response

The ICO's Regulatory Action Policy can be found on our website here:

[Regulatory Action Policy \(ico.org.uk\)](https://ico.org.uk)

This policy includes information about the Commissioner's powers to take enforcement action.

You can also find our [Investigation Manual](#) on our website which may be of interest. Although it is not considered as an ICO Policy, it does include information about the Commissioner's powers and the ICO's regulatory functions.

Section 21 FOIA

Because the information is already reasonably accessible to you, technically it is withheld under section 21 of the FOIA.

Section 21 states that we don't need to provide you with a copy of information when you already have access to it.

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
Strategic Planning and Transformation
Information Commissioner's Office, Wycliffe House, Water
Lane, Wilmslow, Cheshire SK9 5AF
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