

02 October 2023

## **ICO Case Reference IC-260174-P0M3**

### **Request for information**

Request received 26 September 2023:

*"How many CCTV cameras the ICO has the toilets of their offices. How many complaints have been received about CCTV cameras in education establishment toilets for this school, for locations in Surrey, and for locations nationally."*

Your request has been handled under the Freedom of Information Act 2000 (the FOIA). As you are aware, this legislation provides public access to recorded information held by a public authority unless an appropriate exemption applies.

### **Our response**

*"How many CCTV cameras the ICO has the toilets of their offices."*

We do not hold information in scope of this request. There are no CCTV cameras installed in the toilets of ICO premises.

*"How many complaints have been received about CCTV cameras in education establishment toilets for this school, for locations in Surrey, and for locations nationally."*

We hold some information that falls in scope of this request. However, finding the information would exceed the cost limit set out by section 12 of the Freedom of Information Act 2000 (FOIA).

Section 12(1) of the FOIA is a provision which allows a public authority to refuse to comply with a request for information where the cost of compliance is estimated to exceed a set limit known as the appropriate limit. [The Freedom of](#)

[Information and Data Protection \(Appropriate Limit and Fees\) Regulations](#)

[2004 \(legislation.gov.uk\)](#) states that the appropriate limit for the ICO is £450. We have determined that £450 would equate to 18 hours work.

The information requested is contained in the data protection complaint case files held by the ICO, but not in a way that enables a quick, automated search. For example, we can filter data protection complaints by sector and sub-sector, but we do not have a field in our casework management system to record if a data protection complaint case relates to CCTV in toilets. Neither do we have a field to record the county location of organisations that are the subject of complaints. So to know which of the complaints recorded in our systems are in scope of your request would require a manual search of each case file.

We currently hold over 5,000 closed data protection complaint cases relating to the education and childcare sector. Assuming each search of each case file would take around one minute to complete – and it is certain that some searches would take longer – this would clearly exceed the appropriate limit set out in the legislation, triggering the provisions of section 12 of the FOIA.

### **Advice and assistance**

You could narrow your request to complaints about a limited number of named organisations to bring it under the 18-hour search limit.

You could also narrow your request to a specific timeframe. However, with manual searches of this type we would need to consider if it is in the public interest for us to dedicate the resources necessary to carry out this kind of search, or whether it represents an unreasonable burden on us as a public authority.

### **Further information**

Much information that can be extracted from our casework management system using automated means is already published by the ICO. Details about data protection complaints reported to us are published in our [Complaints and concerns data sets](#), specifically in our [Data protection complaints data sets](#).

You can search or filter the information in these datasets as required. For example, you can filter by organisation sector or name.

Please note that we do not retain casework records indefinitely. Therefore, information held about casework closed more than two years ago is likely to be incomplete. You can view our [Retention and Disposal Policy](#) on our website.

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 [accessicoinformation@ico.org.uk](mailto:accessicoinformation@ico.org.uk), or the postal address below.

Your request for internal review should be submitted to us within 40 working days of your receipt of this response. Any such request received after this time will be considered only 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 and Compliance team at the address given, or visit our website at [Official information concern | ICO](#).

### **Your information**

Our [Privacy Notice](#) explains what we do with the personal data you provide to us and what your rights are. This notice includes entries regarding the specific purpose and legal basis for the ICO processing information that people such as [information requesters](#) have provided to us.

The length of time we keep information is laid out in our [retention and disposal policy](#).

Yours sincerely

Information Access Team  
Strategic Planning and Transformation

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