

1 November 2023

IC-266070-R1N9

Request

We received your request on 25 October. You asked for the following information:

"Under the Freedom of Information Act 2000, I would like to request the following information:

- *The number of complaints made to the ICO by individuals regarding a controller or company failing to comply with a subject access request (SAR)?*
- *The number of cases where the ICO has taken action against a controller or processor for failing to comply with data protection legislation?*

*If possible, and within the scope of the permitted FOI time limit, please break this data down by month **AND** by company sector for the last five years.*

If it's not possible to break this data down by sector, then please just provide a monthly break down of the figures. If it's not possible to provide data for the last five years, please provide data for the last three years."

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

Our response

We do hold information within the scope of your request. I have attached a spreadsheet providing a breakdown by month of data protection complaints that we have handled about Subject Access Requests in each sector, further broken down by case outcome. We are only able to provide this information as far back as May 2020 as older case records have been deleted in line with our retention schedule.

Cases with the outcome 'investigation pursued' are cases which have been referred to our investigations department for consideration of formal regulatory action.

More information can be found about instances where we have taken formal regulatory action for breaches of the GDPR on our website [here](#). Investigations leading to regulatory action may be triggered by a complaint, a self-reported data breach, or through other sources of intelligence.

Data sets providing details of all of the complaints, data breaches and investigations we have handled since the start of 2021 can be found on our website [here](#).

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 the address below or e-mail icoaccessinformation@ico.org.uk.

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 Customer Contact Team at the address given or visit our website if you wish to make a complaint under the FOIA.

Your information

Please note that our [Privacy notice](#) explains what we do with the personal data you provide to us and what your rights are.

This includes entries regarding the specific purpose and legal basis for the ICO processing information that people that have provided us with, such as an [information requester](#).

The length of time we keep information is laid out in our retention schedule, which can be found [here](#).

Yours sincerely



Information Access Team
Corporate Planning, Risk and Governance Directorate
Information Commissioner's Office, Wycliffe House, Water
Lane, Wilmslow, Cheshire SK9 5AF
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see our [privacy notice](#)**