

19 December 2023

**IC-272004-K7K6**

**Request**

You asked us:

The ICO's recent blogpost says that the ICO has:

*"written to companies running many of the UK's most visited websites setting out our concerns and giving them 30 days to ensure their websites comply with the law."*

*Please may I request, under FoI, a copy of that letter - perhaps either a template, or else one of the letters sent to one of the recipients but with their specific details redacted?*

*I am interested in the content of the letter, not the identity or details of the recipients."*

We received your request on 22 November.

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

**Our response**

We do hold information with the scope of your request. The template letter is attached to this response. One redaction has been made to the letter, this information is the personal data of a member of ICO staff and is withheld pursuant to s.40(2) FOIA.

**FOIA section 40(2)**

You will see that some of the third party personal data has been redacted in our response.

Section 40(2) of the FOIA exempts information if it is personal data belonging to an individual other than the requester and it satisfies one of the conditions listed in the legislation.

We find that the condition at section 40(3A)(a) applies in this instance: that disclosure would breach one of the data protection principles. The principles are outlined in the General Data Protection Regulation (GDPR) with the relevant principle on this occasion being the first principle as provided by Article 5(1): that personal data shall be processed lawfully, fairly and in a transparent manner.

We do not consider that disclosing this information into the public domain is necessary or justified. There is no strong legitimate interest that would override the prejudice to the rights and freedoms of the relevant data subjects. We have therefore taken the decision that disclosing this information would be unlawful, triggering the exemption at section 40(2) of the FOIA.

### **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](#) on our website.

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 sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely