

4 January 2024

IC-276911-M4C3

Request

On 14 December 2023 you made the following request:

Please provide copies of: training, guidance, notes, policies, procedures or memorandums or other forms of material relating to how the ICO should/may handle communication (to mean any form of contact e.g. complaints, calls etc) from freemen on the land/sovereign citizens, legal name fraud individuals.

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

Response

We are unable to confirm or deny the extent to which the requested information is held. Section 12(2) of the FOIA states that a public authority is not obliged to confirm or deny if requested information is held if the estimated cost of establishing this would exceed the appropriate cost limit. The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 stipulates that the 'appropriate limit' for the ICO is £450. We have determined that £450 would equate to 18 hours work.

In order to confirm or deny whether or not we hold anything that falls within scope of the request, we would need to search all of our holdings for the terms provided in your request. Although initial searches indicate that we do not hold any specific policies, procedures or guidance in relation to these terms, your request covers any types of information we might hold in relation to how the ICO 'should/may' communicate with communications from 'freemen on the land/sovereign citizens, legal name fraud individuals'. This may encompass any advice given or comments on, specific cases, for example.

We would therefore need to check our case management system (where we handle complaints, requests and other types of case) as well as any correspondence, notes and other materials that might be relevant. Our case management system alone contains details of thousands of complaints, enquiries and concerns regarding the various laws we oversee. An electronic record is created for every case, every complainant and every 'complained about' organisation, and case records typically contain multiple items including correspondence and other documentation.

We do not routinely use the terms you have provided in your request to categorise individuals or cases, therefore we cannot electronically extract any cases or files that might be relevant. Even if the terms in your request are mentioned within a case record, this does not necessarily mean that the information will detail how the ICO 'should/may' communicate with the relevant parties. In each case detailed checks would be required to establish whether or not any of the casework information falls within scope of your request.

To give an example of the work involved, we hold well over 10,000 cases on our current case management system. Even if it only took one minute per case to search 10,000 of those cases – and it is certain that some searches would take much longer than that – this would equate to over 160 hours' worth of searching. This is in excess of the 18 hours which would accrue a charge of £450 or less, triggering the provisions of section 12 of the FOIA.

Advice and assistance

We publish [policies and procedures here](#). Although none of these refer specifically to the terms mentioned in your request, some do cover our communication with customers more broadly, and our [privacy notice](#) explains how we manage communications with customers. More information about [communicating with us](#) can be found on [our website](#).

You can also search for information we have previously disclosed about training, service, communication and other relevant topics on our [disclosure log](#).

We may be able to consider requests about your chosen topics if these are sufficiently refined so as to fall within the cost limit. For example, you could consider specifying a timeframe, type of case, and/or a type of material (e.g. policies only). In relation to correspondence or notes, it would be helpful to specify which teams or departments you are interested in.

However, even with these additional criteria, a refined request may still exceed the cost limit. For example, even within a very limited timeframe, such as one month, we may correspond with a large number of individuals about various matters, and handle hundreds or even thousands of particular types of cases within a given time period (e.g. data protection complaints). Similarly requests for correspondence may require us to search a significant number of items, particularly if we focus our searches on teams that deal with members of the public.

Any request for information concerning the specific circumstances of cases, individuals we interact with and/or any notes we make about this will likely result in the need to undertake manual searches to identify the information in scope, particularly if the criteria used in the request do not reflect terms we use routinely in our work or our case management systems. Furthermore, if any information requested relates to specific individuals and cases, this could involve personal data and may be subject to exemptions.

It is unclear how representative or helpful any results of refined searches would be, particularly given that we cannot guarantee the accuracy of the results provided when conducting manual searches. Consideration can also be given as to whether the value to the public of the information derived from such searches is proportionate to the effort to locate it, particularly given the issues regarding accuracy described.

This concludes our response to your request.

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 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



Information Access Team
Strategic Planning and Transformation
Information Commissioner's Office, Wycliffe House, Water
Lane, Wilmslow, Cheshire SK9 5AF
ico.org.uk twitter.com/iconews

Please consider the environment before printing this email
**For information about what we do with personal
data see our [privacy notice](#)**