

6 March 2024

IC-287837-M2W5

## Request

You asked us:

- 1. Please provide me with copies of all letters and emails sent to the Labour Party in relation to its handling of Subject Access Requests since 01 January 2020.*
- 2. Since 4 April 2020, how many complaints has the ICO received regarding the Labour Party's handling of Subject Access Requests?*
- 3. (a) Please provide copies of all complaints that the ICO has received since 4 April 2020 regarding the Labour Party's handling of Subject Access Requests.  
(b) Please provide copies of all letters and emails sent by the ICO to these complainants in response to their complaints, including any correspondence sent in the subsequent case history.*

We received your request on 11 February 2024.

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

## Our response

We wrote to you on 27 February 2024 explaining that our initial searches had identified that it is likely to be highly burdensome for the ICO to respond to this request and provided you with advice and assistance to refine your request should you wish to do so. As we received no response to that correspondence, we are formally confirming that we are unable to provide a response to your information request as to do so would place a grossly oppressive burden on the resources of the ICO.

Section 14 of the Freedom of Information Act 2000 (FOIA) allows a public authority to refuse a request if it would place a grossly oppressive burden on their resources which would outweigh any value or serious purpose that the request may have. I have considered the ICO's [published guidance](#) on this matter and consider that your request does meet the threshold of a burdensome request.

Although the majority of the information you are seeking would be held on our case management system, and would therefore not be onerous to locate, to consider which parts of the information is disclosable and to apply the redactions, which are likely to be numerous, would place a burden on our resources.

We hold casework for 2 years following the closure or review of a case. Our searches indicate that we have over 250 cases which are likely to fall within the scope of your request. We would need to consider all correspondence from members of the public on those cases and, due to part 1 of your request, all correspondence from the ICO to the Labour Party about the individual complaints. This is likely to include a large number of documents, all of which are likely to include the personal data of the complainants.

When members of the public submit complaints to the ICO about how their personal data has been handled we consider that this is their personal data and they do not expect it to be shared outside what is necessary for the handling of their complaint. We would therefore need to consider all the correspondence you are seeking, where it relates to individual complaints, to ascertain whether any information could be disclosed and if it could the redactions applied would have to be thorough to ensure no accidental disclosures of personal data. Due to the number of cases and the fact that there is likely to be several pieces of correspondence on each case which would be within the scope of your request it is clear that this work would be burdensome for the team.

We consider that there is limited public interest in the details of individual complaints to the ICO being disclosed, particularly in a heavily redacted fashion. There is also a significant public interest in ensuring the public maintain a high level of trust in the ICO which may be damaged if we were to inappropriately disclose details of individual complaints to the world at large.

In my correspondence of 27 February I suggested several ways in which you could refine your request in order to make it less burdensome to the ICO. I have copied this information below for your convenience and would be grateful if you would consider these suggestions if you choose to submit any future requests in relation to this one.

Part 2 of your request would not be burdensome to handle, however, please note that as our retention period on casework is 2 years following the closure or review of a case we are not able to provide information dating back to 2020. Please also note that we publish [datasets](#) of our complaint casework which contain basic details of the complaints we have handled. These can be filtered by the 'submitted about party' which would allow you to locate the complaints we have handled about the Labour Party.

Regarding part 1 of your request, my advice would be to refine it to request correspondence with the Labour Party in relation to its handling of Subject Access Requests since 01 January 2020, excluding correspondence about individual complaints from the public. If such correspondence were held it would be unlikely to include details of individual cases and there would be a lower volume of that type of correspondence so if redactions were required following consultation with the Labour Party it would not be a burdensome task.

Regarding Part 3 of your request, as explained above it is highly likely that the majority of this correspondence would be considered to be the personal data of members of the public. The only way we could consider responding to this part of your request would be if you were to significantly reduce the date range, however it would likely need to be such a short date range that the information provided would have little value. In addition, before we could disclose any correspondence to or from members of the public, the redactions applied would need to be so thorough that it is likely that any remaining information would be of little value. I would therefore consider removing this part of your request.

I appreciate that this response may be disappointing but I hope the reasons explained above are clear and the advice provided is helpful.

### **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



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