

28 March 2024

IC-293711-B1X2

Request

You asked us:

"What action does the ICO take to follow up the Decision Notices that are issued and to ascertain whether Government Departments have complied with those Decision Notices.

Grateful for any statistics plus any links that allow me to see the response of the Department to the DN and, where information is released pursuant to the DN, to be able to see the released information."

We received your request on 12 March 2024.

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

Our response

I can confirm that we hold some information in scope of your request.

We do not routinely follow-up Decision Notices that we issue. When we issue a public authority with a Decision Notice that orders them to take remedial steps, we ask the person who brought the complaint to notify us if they believe that those steps have not been complied with by the deadline set.

If we are notified that a Decision Notice has not been complied with, we would then seek to establish whether or not the public authority had complied. Our [FOI and Transparency regulatory manual](#) explains some of the steps that may be taken in these situations.

Regarding the part of your request in which you ask for any statistics and links

that would allow you to see the response of the public authority to a Decision Notice, I can confirm that we do not hold any information in scope of your request.

We do not keep statistics on compliance with Decision Notices that we issue. As mentioned above, we do not actively monitor or follow-up on Decision Notices, but ask for the complainant to notify us in the event of non-compliance.

Whilst it may be possible to compile statistics on compliance with Decision Notices, this would require us to manually search every case in which a Decision Notice ordering steps has been issued. As we have issued over 850 Decision Notices of this kind in this financial year alone, this would exceed the cost limit as set out in section 12 of the FOIA. In addition, this would not necessarily create a complete picture of compliance, as we are not always informed by either the complainant or the public authority when a Decision Notice has or has not been complied with.

If you wish to submit a new refined request, narrowed down to specific Decision Notices or over a specific period of time, then we may be able to provide some information in scope of the second part of your request.

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

Yours sincerely



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