

13 May 2024

Case reference: IC-303387-X0G0

We are now in a position to respond to your information request of 25 April.

Request

"Subject: FOI request - disclosure notices

Please release the following information under the terms of the Freedom of Information Act.

[1]. Which five authorities have received the most enforcement notices from the ICO since the Act became operational?

[2]. For each authority, how many enforcement notices have they received, when was each enforcement notice issued, and provide a brief summary of the reason for the notice.

[3]. How many times has the ICO commenced Court proceedings under section 54 of the Act, which may be dealt with as contempt of Court? Which authorities were subject to the proceedings in each case. What was the outcome of proceedings in each case."

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

Our response

We understand your request relates to enforcement notices issued by the ICO as regulator under section 52 of the FOIA. Please find below information in response to your questions.

We publish details of our FOIA enforcement notices (ENs) on our website [here](#). These are currently available from September 2022. Previous enforcement notices can be found on [The National Archives](#) (TNA) website.

Prior to September 2022 we issued 3 ENs, with a further 1 EN issued before the full provisions of the FOIA came into force on 1 January 2005. We have provided the TNA links to the 2006, 2010 and 2015 ENs for ease of reference. The 2003 EN is enclosed as a separate attachment.

2003 – Allerdale Borough Council (see attached)

2006 – Legal Secretariat to the Law Officers:

[https://webarchive.nationalarchives.gov.uk/ukgwa/20080512152537/http://www.ico.gov.uk/what we cover/freedom of information/enforcement.aspx](https://webarchive.nationalarchives.gov.uk/ukgwa/20080512152537/http://www.ico.gov.uk/what_we_cover/freedom_of_information/enforcement.aspx)

2010 – Independent Police Complaints Commission:

[https://webarchive.nationalarchives.gov.uk/ukgwa/20101217161149/http://www.ico.gov.uk/what we cover/promoting openness/taking action.aspx#Notices](https://webarchive.nationalarchives.gov.uk/ukgwa/20101217161149/http://www.ico.gov.uk/what_we_cover/promoting_openness/taking_action.aspx#Notices)

2015 – Department of Finance and Personnel for Northern Ireland:

<https://webarchive.nationalarchives.gov.uk/ukgwa/20151204114812/https://ico.org.uk/action-weve-taken/enforcement/department-of-finance-and-personnel-for-northern-ireland/>

In answer to your questions in parts 1 and 2, no public authority has received more than one EN. With regards to point 3, we have never issued court proceedings under section 54 of the FOIA.

You may find our [FOI year in review](#) blog helpful in your area of interest. In this, our Director of Freedom of Information and Transparency discusses the development of a process for using this power in 'The year ahead' section.

The published information within scope of your request is technically withheld under section 21 of the FOIA, which explains we are not required to provide information in response to a request if it is already reasonably accessible to you from another source.

This concludes our response to your request. We hope you found this information 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 sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely



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For information about what we do with personal data see our [privacy notice](#)