

27 March 2024

IC-294679-P8T7

Request

You asked us:

"On 31 January 2024, you announced via your website (please see: <https://ico.org.uk/about-the-ico/media-centre/news-and-blogs/2024/01/ico-warns-organisations-to-proactively-make-advertising-cookies-compliant/#:~:text=Last%20November%20we%20wrote%20to,to%20our%20c all%20to%20action>), that you had contacted "53 of the UK's top 100 websites, warning that they faced enforcement action if they did not make changes to advertising cookies to comply with data protection law."

In this regard, under the Freedom of Information Act, I would like to request the following information:

1. Could you please state what was the scanning tool/software that you used in the abovementioned top 100 websites to identify the cookies and similar technology that was operating therein? Please note that I am only interested in the identification of the tool that was used, I am not requesting any information on the commercial/contractual arrangements that the ICO may have in place with the third party that provided any such scanning tool.

2. Relatedly, the press release linked above states that you considered the "UK's most visited websites" – Thus, could you please specify what was the process and threshold(s) that the ICO considered when the determination was made to scan those websites to identify any cookies or similar tech operating thereunder? (for example, was it sites with a traffic of over 1 million visits per day?).

We received your request on 15 March 2024.

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

Our response

We do hold some information within the scope of your request.

Firstly, we did not use any scanning tool or software in order to identify cookies as part of this work.

Secondly, we used the Ipsos Iris 'Online Audience Measurement' data for May 2023, which reports on active time spent on websites by the total UK internet population over the age of 15, as the source of the UK's top visited websites and as the starting point for our searches for organisations to write to about cookie compliance.

This concludes our response.

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



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