

17 June 2024

## **IC-309123-P5R9**

### **Request**

You asked us:

*"I am requesting the following general information:*

*1. Internal guidelines or policies that outline the responsibilities of ICO representatives in defending decision notices during appeals, particularly when new evidence is presented by appellants in response to information provided by the ICO that was not included in the original decision notice leading to the appeal.*

*2. Documentation of any formal process or criteria used by the ICO to determine whether to revise a decision notice after new evidence is submitted by an appellant in response to information provided by the ICO that was not included in the original decision notice."*

We received your request on 25 May.

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

### **Our response**

We do not hold any information within the scope of your request. In regards to the first part, we do not hold any policy or guidance which is specific to the subject matter you have described. In relation to the second point, we do not revise Decision Notices once they are issued, if new evidence is presented after the DN is issued, the next step would be to lodge an appeal with the First Tier Tribunal. We therefore do not hold any policy or criteria in relation to this.

You may be interested in our [FOI/EIR Casework guide](#), which sets out our general approach to handing complaints under FOI & EIR.

### **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



Information Access Team  
Strategic Planning and Transformation  
Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF  
[ico.org.uk](http://ico.org.uk) [twitter.com/iconews](https://twitter.com/iconews)  
Please consider the environment before printing this email  
**For information about what we do with personal data see our [privacy notice](#)**