

16 July 2024

Case reference: IC-315508-B3F5

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

Request

You asked us for the following:

"Please would you provide the following information held by the ICO:

(i) copies of all current internal guidance notes, policies or procedures for ICO staff relating to the handling of subject access request complaints made to the ICO;

(ii) insofar as not included in (i) above, copies of all current internal guidance notes, policies or procedures for ICO staff relating to the handling of case reviews in connection with such subject access complaints;

(iii) insofar as not included under (i) above, all current internal guidance notes, policies or procedures for ICO staff relating to the consideration of new evidence following a decision by the ICO on any such subject access complaints;

(iv) copies of all current internal guidance notes, policies or procedures for ICO staff relating to the handling of service complaints made to the ICO;"

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

Our response

Information within scope of your request in questions (i) and (iv) is available via our website. We have published information on our data protection training materials and procedures which is available for our staff and the public. A list of relevant webpages are provided below.

[Disclosure log response IC-236327-C7Q7](#) (PADPCS training school materials)
[Service complaint policy](#)

[ICO data protection training videos](#)

[What to expect from the ICO when making a data protection complaint](#)

[Regulatory action policy](#)

[ICO25 - Our regulatory approach](#)

[Policies and procedures](#)

Our PADPCS (Public Advice Data Protection Complaints) team have advised that the training school materials are still current.

With regards to your questions (ii) and (iii), we do not hold internal guidance documents in relation to case reviews or consideration of new evidence specifically about subject access complaints.

It may help to explain that case officers have discretion on the decisions made in the handling of data protection complaints. This is informed by the legislation, our risk based approach to regulatory action, and our policies and procedures.

The information you have requested in questions (i) and (iv) is technically withheld under section 21 of the FOIA, which explains that 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](#) 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 twitter.com/iconews

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