

16 July 2024

ICO Case Reference IC-314769-K1P8

Request for information

Request received 23 June 2024:

"In an ICO decision notice Reference: IC-230070-B8N2 published on the ICO website, it states on page 4:

'Following further correspondence, on 14 September 2023 the Commissioner issued an Information Notice formally requiring the MPS to clarify its position, as set out in paragraph 15 above.' [ic-230070-b8n2.pdf \(ico.org.uk\)](#)

The ICO claims to publish all Information Notices on its website. This is clearly not the case as no reference to the aforementioned Information Notice exists in the 2023 list of Information Notices on the ICO website:

[FOI enforcement notices, information notices and practice recommendations | ICO](#)

- 1) Please provide me with any information you hold on why this has been excluded from your published list.*
- 2) Please provide me with a copy of the relevant Information Notice.*
- 3) Please provide me with the precise number of Information Notices issued against all authorities since 2022. As the Information Notices list is incomplete, where in the public domain (if that is an exemption you rely upon) can the correct number be found?"*

We sought clarification of this request, and on 1 July 2024 you confirmed that your request relates to Information Notices (INs) issued under the Freedom of Information Act 2000 only.

Your request has been handled under the Freedom of Information Act 2000 (the FOIA). This legislation provides public access to recorded information held by a public authority unless an appropriate exemption applies.

Our response

We do hold some information in scope of your request. In response to each of your numbered requests, we can advise:

- 1) We do not hold information in scope of this part of the request. The IN for IC-230070-B8N2 was not intentionally excluded from publication on the ICO website. It was not published due to an administrative error, which we have corrected. Thank you for notifying us of the omission.
- 2) We can provide the requested information. The IN relating to [IC-230070-B8N2](#) is now published on the ICO website in the [FOI enforcement notices, information notices and practice recommendations](#) area.
- 3) We do hold some information in scope of this part of the request. We hold information for 137 different FOI INs issued since 2022. We searched our casework management system and found 109 instances where it has been recorded that an FOI IN has been issued against a public authority and recorded in an FOI complaint casework file. 59 of these are also published on the ICO website. In addition there are 28 different FOI INs published on the ICO website that are not currently recorded in the casework management system. Please see below for further explanation.

Further information

As stated on our website, FOI INs are published "once the case to which it relates has been concluded." Therefore, we may hold INs in our casework management system that have not been published on our website because we do not consider the matter to have yet concluded.

It should also be noted that files in our casework management system are automatically deleted in line with our [Retention and Disposal Policy](#). Cases are automatically deleted two years after the last activity on the case, unless marked for preservation. As such, our casework records for 2022 are not complete and so INs that still appear on the ICO website may have been deleted from the casework management system.

Please also note that recording INs in an easily searchable format in our casework management system, and publishing INs to the ICO website, are both manual processes that are subject to human and administrative error. We will correct any errors in this process when they are brought to our attention.

This concludes our response to your request.

Next steps

You can ask us to review our response. Please let us know in writing within 40 working days if you want us to carry out a review.

You can read a copy of our full [review procedure](#) on our website.

If we perform a review but you remain dissatisfied, you can [raise a complaint](#) to the ICO as regulator of the Freedom of Information Act. This complaint will be handled just like a complaint made to the ICO about any other public authority.

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

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