

18 September 2024

IC-325120-WOP0

Request

You asked us:

"Are ICO case officers allowed to tell Public Authorities that they will find in their favour before they draft the decision notice?"

We received your request on 11 August 2024.

You later clarified your request to read:

"I have been told before by a case officer that it would not be correct to tell me the result of the decision before the decision notice had been issued, even when a decision had clearly been made. This therefore suggests this is your policy and so if you have the part of this policy to which this alludes, please provide it."

and then further clarified:

"Sorry, to clarify further, this policy (if it exists) would also apply to public authorities."

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

Our response

We have searched our records and resources in an attempt to locate a policy falling within the scope of your request, however, we have been unable to locate such a policy and must, therefore, conclude that the information requested is not held by the ICO.

Advice and assistance

As your request relates to our handling of FOIA cases you may find our [FOI casework guide hub](#) document of benefit to you in explaining our procedures.

With reference to the issue of you have raised, we would advise that through our informal / early resolution processes, outlined in the FOI Casework guide hub, inevitably we will sometimes provide a preliminary view to either or both parties to assist resolving matters without the need for a formal decision notice.

However, this would be on a case-by-case basis and this approach would not be a formal decision until a notice is served.

We trust you will find this information helpful.

This concludes our response to your request.

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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