

16 October 2024

Reference number: IC-333761-W0S5

Request

You asked us: *"...Under the FOIA, can you please provide me with any: manuals, memorandums, standard operating protocols and/or information that could be reasonably considered along the lines of the previous type of documentation that is related to:*

- 1.- How the ICO decides whether to attend (or not) a particular hearing of the First Tier Tribunal (GRC) in person, and how it decides that it's content with the matter being determined solely on the basis of its written submissions.*
- 2.- How the ICO decides whether to appeal (or not) an unfavorable judgement from the FtT, either to the FtT or the Upper Tribunal if needed be.*
- 3.- How the ICO decides whether to appeal (or not) an unfavorable judgement from the UT, either to the UT or the Court of Appeal if needed be..."*

We received your request on 25 September 2024.

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

Our response

Having conducted a reasonable search of our records, we can confirm that we hold some information in the scope of your request. This will now be explained below.

In relation to question 1, we can confirm that we hold information in the scope of your request. Please find the relevant document attached.

Please note, this document was created in 2014 and has not been reviewed for some time so may not reflect current thinking or practices.

In relation to questions 2 and 3, we do not hold information in the scope of your request. This is because we do not hold policy or procedural documents for making decisions around these matters. This is because decisions around whether to appeal FTT or UT judgements are made on a case-by-case basis.

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