

19 November 2024

IC-344188-H7C7

Request

On 13 November 2024 you requested:

"Information on any cases, across any period, where conflicts of interest have been identified involving ICO personnel, including during or prior to the commencement of investigations. 2. This is not limited to any particular individuals; instead, I am interested in understanding any documented instances of conflict across the organization."

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

Response

We are refusing your request because to establish the extent of any information held in entirety would exceed the cost limit set out by section 12 of the Freedom of Information Act 2000 (FOIA). Section 12(2) of the FOIA states that a public authority is not obliged to confirm or deny if requested information is held if the estimated cost of establishing this would exceed the appropriate cost limit.

This is because you have asked for all information about any conflicts of interest involving ICO staff. Such information, if held, could be documented in emails, document management systems or within our casework system and would not be identifiable from keyword searches alone. It is also worth noting that not all of our systems are fully keyword searchable and even if conflicts of interest are mentioned in a search result, this does not necessarily indicate an instance involving ICO staff or investigations we have conducted.

To establish what we hold, it would be necessary to conduct extensive manual searches covering significant amounts of information. An initial search of our document management system for the term 'conflict of interest' generates over

5000 results. Our case management system contains thousands of cases with multiple documents and items of correspondence held on each. The ICO employs over one thousand members of staff, and as relevant information could be held in their email accounts, these would also need to be searched.

While much of the information held in these systems is unlikely address the specific issue you are interested in, all of it would need to be checked in order to locate any information we hold in relation to this topic. Assuming it took only one minute to check each search result (and in many cases, it would take longer), to search even 1000 of the tens of thousands of results would involve well in excess of 18 hours of work, so would certainly exceed the charge of £450 or less, triggering the provisions of section 12 of the FOIA. On this basis, we are refusing your request.

Advice and assistance

We could consider requests for information about conflicts of interest involving a specific team, in relation to a specific part of our regulatory work (such as in dealing with particular types of complaints), particular types of document (such as correspondence) or information held within a specific system (such as our case management system). Due to the number of cases we deal with, we would likely require multiple criteria to bring any refined request within the cost limit. Further examples of ways that you might refine your request include specifying a time period, focusing on a particular complained about organisation (if relating to a complaint), outcome or other criteria that we can use to electronically filter results.

Please see [our published data sets](#) for details about the types of cases we deal with, and how these might be filtered to narrow down search results.

If you do decide to refine your request, please note that any request requiring us to manually search large numbers of records is likely to exceed the appropriate limit, and the accuracy of any such searches could not be guaranteed. Consideration can also be given as to whether the value to the public of any resulting information is proportionate to the effort to locate it, particularly given the issues regarding accuracy described.

You can read more about how the ICO's approach to conflicts of interest within previous responses we have published, including about [guidance](#) and [policies](#) that relate to this area.

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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