

2 December 2024

Case Reference IC-342500-Z6V7

Request

I am writing to make the following requests under the Freedom of Information Act.

- 1. Your [Information Commissioner's Annual Report and Financial Statements 2023/24 For the period 1 April 2023 to 31 March 2024](#) states that between 1 April 2023 and 31 March 2024 you "[issued ten enforcement notices](#)" (p. [41](#)) under the Data Protection Act 2018. However, on the [Action We've Taken part of the website](#) and for the dates at issue (1 April 2023 to 31 March 2024) I can only find details of three of these Enforcement Notices (see below and attached). Please can you therefore the specific date on which any and all other such Enforcement Notices were issued and the provision or provisions in the Data Protection Act 2018 and/or UK GDPR which was subject to enforcement action.*
- 2. Your [Information Commissioner's Annual Report and Financial Statements 2023/24 For the period 1 April 2023 to 31 March 2024](#) also states that between 1 April 2023 and 31 March 2024 you "[three penalty notices](#)" (p. [41](#)) under the Data Protection Act 2018. However, on the [Action We've Taken part of the website](#) and for the dates at issue (1 April 2023 to 31 March 2024) I can only find details of two of these Penalty Notices (see below and attached). Please can you therefore provide the specific date on which any other such Monetary Penalty Notice (or Notices) were issued and which provision in the Data Protection Act 2018 and/or UK GDPR the penalty related to and the amount which was assessed for the each of the breach or breaches.*
- 3. Your [Information Commissioner's Annual Report and Financial Statements 2023/24 For the period 1 April 2023 to 31 March 2024](#) states that between 1 April 2023 and 31 March 2024 you issued "[26 enforcement notices](#)" (p. [41](#)) concerned with the Privacy and Electronic Communications Regulations. However, on the [Action We've Taken part of the website](#) and for the dates at issue (1 April 2023 to 31 March 2024) I can only find details of 20 of these Enforcement Notices (see below and attached). Please can you therefore provide details of the specific date on which any and all other such Enforcement Notices were issued and the provision or provisions in the Privacy and Electronic Communications Regulations which were subject to enforcement action.*

4. Your [Information Commissioner's Annual Report and Financial Statements 2023/24 For the period 1 April 2023 to 31 March 2024](#) states that between 1 April 2023 and 31 March 2024 you issued "[26 monetary penalty notices](#)" (p. [41](#)) concerned with the Privacy and Electronic Communications Regulations. However, on the [Action We've Taken part of the website](#) and for the dates at issue (1 April 2023 to 31 March 2024) I can only find details of 21 of these Enforcement Notices (see below and attached). Please can you therefore provide details of the specific date on which any and all other such Monetary Penalty Notices were issued, the provision in the Privacy and Electronic Communications Regulations which was subject to penalty and the amount which was assessed for each of the breach or breaches. In all the above requests, "you" refers to the Information Commissioner's Office including the Information Commissioner as a Corporation Sole.

We received your request on 6 November 2024.

Your request has been handled under the Freedom of Information Act 2000 (the FOIA).

Our response

We do hold the information you have requested.

We will respond in accordance with your numbering.

1. Your [Information Commissioner's Annual Report and Financial Statements 2023/24 For the period 1 April 2023 to 31 March 2024](#) states that between 1 April 2023 and 31 March 2024 you "[issued ten enforcement notices](#)" (p. [41](#)) under the Data Protection Act 2018. However, on the [Action We've Taken part of the website](#) and for the dates at issue (1 April 2023 to 31 March 2024) I can only find details of three of these Enforcement Notices (see below and attached). Please can you therefore the specific date on which any and all other such Enforcement Notices were issued and the provision or provisions in the Data Protection Act 2018 and/or UK GDPR which was subject to enforcement action.

We can confirm that between 1 April 2023 and 31 March 2024, we issued 10 enforcement notices under the Data Protection Act 2018. The enforcement notices are published on our website [Enforcement action](#). The notices include details of the organisation, the legislative basis and date the notice was issued. By clicking on the enforcement notice relating to [Serco Leisure Operating Limited and relevant associated Trusts](#) you can view 7 additional enforcement notices issued to community leisure trusts associated with Serco.

2. Your [Information Commissioner's Annual Report and Financial Statements 2023/24 For the period 1 April 2023 to 31 March 2024](#) also states that between 1 April 2023 and 31 March 2024 you "[three penalty notices](#)" (p. 41) under the Data Protection Act 2018. However, on the [Action We've Taken part of the website](#) and for the dates at issue (1 April 2023 to 31 March 2024) I can only find details of two of these Penalty Notices (see below and attached). Please can you therefore provide the specific date on which any other such Monetary Penalty Notice (or Notices) were issued and which provision in the Data Protection Act 2018 and/or UK GDPR the penalty related to and the amount which was assessed for the each of the breach or breaches.

We can confirm that between 1 April 2023 and 31 March 2024, we issued 3 monetary penalty notices under the Data Protection Act 2018. The monetary penalty notices are published on our website on the link provided to question 1. The notices include details of the organisation, the date, amount and legislative basis for the notice.

Although we issued a monetary penalty notice to The Central Young Men's Christian Association on 6 March 2024, the date associated with the notice on our website is 30 April 2024, which is the date the notice was published and not the date the notice was issued. Consequently, a search of the website for the dates you are interested in would not include this notice. Please accept our apologies for any confusion this has caused. There is a separate piece of work to be undertaken to ensure that this is rectified.

3. Your [Information Commissioner's Annual Report and Financial Statements 2023/24 For the period 1 April 2023 to 31 March 2024](#) states that between 1 April 2023 and 31 March 2024 you issued "[26 enforcement notices](#)" (p. 41) concerned with the Privacy and Electronic Communications Regulations. However, on the [Action We've Taken part of the website](#) and for the dates at issue (1 April 2023 to 31 March 2024) I can only find details of 20 of these Enforcement Notices (see below and attached). Please can you therefore provide details of the specific date on which any and all other such Enforcement Notices were issued and the provision or provisions in the Privacy and Electronic Communications Regulations which were subject to enforcement action.

We can confirm that between 1 April 2023 and 31 March 2024, we issued 25 enforcement notices under the Privacy and Electronic Communications Regulations 2003. The figure of 26 in the 2023/24 Annual Report is incorrect. The enforcement notices are published on our website on the link provided to question 1. The notices include details of the organisation, the date and legislative basis for the notice.

4. Your [Information Commissioner's Annual Report and Financial Statements 2023/24 For the period 1 April 2023 to 31 March 2024](#) states that between 1 April 2023 and 31 March 2024 you issued "[26 monetary penalty notices](#)" (p. [41](#)) concerned with the Privacy and Electronic Communications Regulations. However, on the [Action We've Taken part of the website](#) and for the dates at issue (1 April 2023 to 31 March 2024) I can only find details of 21 of these Enforcement Notices (see below and attached). Please can you therefore provide details of the specific date on which any and all other such Monetary Penalty Notices were issued, the provision in the Privacy and Electronic Communications Regulations which was subject to penalty and the amount which was assessed for each of the breach or breaches. In all the above requests, "you" refers to the Information Commissioner's Office including the Information Commissioner as a Corporation Sole.

We can confirm that between 1 April 2023 and 31 March 2024, we issued 26 monetary penalty notices enforcement notices under Privacy and Electronic Communications Regulations 2003. The notices are published on our website on the link provided in answer to question 1. The notices include details of the organisation, the legislative basis, date and amount of the notice.

As the information concerning our enforcement action is publicly available, it is technically withheld in reliance on section 21 of the FOIA, further details of which can be found below.

Information withheld

FOIA section 21

This exempts information which is reasonably accessible through means other than a request under the FOIA. Section 21 states that we do not need to provide a copy of information when you already have access to it. However, we have provided the links above for your convenience.

Section 21 is an absolute exemption, which means it is not necessary for us to consider a public interest test.

This concludes our response to your information 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 [here](#)



Information Commissioner's Office

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