

8 January 2025

IC-352102-S9S7

Request

On 18 December 2024 you asked for the following information:

"Since January 01st 2024 up to and including today's date,

[a] How many enquiries has the Information Commissioner's Office received about Birmingham City Council.

[b] How many complaints have been made to the Information Commissioner's Office relating to Freedom Of Information Requests/Subject Access Requests, has the Information Commissioner's Office received about Birmingham City Council."

On 19 December 2024 you added the following points to your request:

[c] The outcome/final decision of the enquiries received about Birmingham City Council in [a]

I request [d] The outcome/final decision of the complaints received about Birmingham City Council in [b]

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

Response

We hold information that falls under the scope of parts b and d of your request. However, locating any information that relates to parts a and c 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. The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 stipulates that the

'appropriate limit' for the ICO is £450. We have determined that £450 would equate to 18 hours work.

The ICO's role is to uphold information rights in the public interest. As part of our work, we may receive enquiries that mention or relate to Birmingham City Council across various different contexts. While we can electronically extract a list of complaints we have received about Birmingham City Council, we cannot do this for all types of enquiry made the the ICO about this organisation. This is because enquiries may be made as part of advice, complaint or information rights cases, via our helpline, livechat or as part of other engagement work.

Due to the various ways in which we might receive an enquiry about a named organisation, instances cannot be electronically extracted from our systems in entirety or readily located using keyword searches alone. Therefore extensive manual searches would instead be required to locate any relevant instances. This would involve a significant investment of resources.

We would need to consider all areas of our work in which we may have received an enquiry about the organisation. If we focused only on, for example, correspondence recorded within our case management system, this covers tens of thousands of cases (each with multiple items attached) within an 12 month period, and each case contains multiple items that would need to be searched individually.

Even if we narrowed this down further, for example by focusing only on advice cases, we would still need to search over 5000 cases, as this is the approximate number we hold for the period in question. If it only took one minute per case to search 5000 of these cases – and it is certain that some searches would take much longer than that – this would equate to over 80 hours' worth of searching, which would certainly exceed the 18 hours which would accrue a charge of £450 or less, triggering the provisions of section 12 of the FOIA.

Advice and assistance

Information relating to parts b and d of your request is already available online, and if requested as a standalone request, this information would be exempt in accordance with Section 21 of the FOIA. We publish information about the complaints we receive, and investigations undertaken [here](#). Our [data protection complaints datasets](#), and [FOI complaints datasets](#), can be filtered by organisation type and other details, and contains details about the outcomes of said complaints. More recent information is due to be published in the near future,

and if requested would likely be exempt in accordance with Section 22 of the FOIA.

Our [annual reports](#) also summarise the work that we do and provide an insight into the complaints we deal with and our work with different organisations.

We have considered how you might be able to refine parts a and c of your request to bring these within the cost limit. For example, we could consider requests about specific types of cases (e.g. enquiries made on Birmingham City Council complaint cases only) that include more specific parameters (e.g. a shorter date range). Please also note that exemptions may apply to certain types of information, for example if any of the information we hold would enable the identification of individuals (e.g. detailed information about individual complaints or enquiries).

Any request that requires 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.

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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