

24 December 2024

IC-351158-W7B4

Request

On 12 December 2024 you asked for the information from all fields used in our case management system to process information requests, to cover all FOI requests received by the ICO since 3 April 2020.

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

Response

We hold information that falls within scope of your request.

Please note that we do not hold casework data in our casework management system indefinitely, and that this is not usually retained beyond the retention period detailed in [our retention policy](#). This means that the records we retain for requests handled in 2022 and earlier are minimal.

Attached is a copy of the information requested. Disclosure 1 covers up to 2023, and disclosure 2 covers 2024. The information for 2023 has recently been disclosed in response to a previous request (IC-346103-X6B4) and is due to be published on our website [here](#) in due course. This information has therefore been withheld in accordance with Section 22 of the FOIA, and more details have been provided on the next page of this letter.

Details about identifiable individuals and third parties has been withheld. Please note that when processing FOI requests the Information Access Team only uses names and contact details within any contact or account fields, and these details have been withheld under Section 40(2) where they relate to an individual and under Section 44 where they relate to an identifiable business.

The text summary field has also been withheld using Section 40(2) and Section 44 because it contains details that would enable individuals and organisations to be identified. Request summaries are published alongside full responses on our website [here](#), and these contain any summary information that we are able to disclose about individual requests. These can be searched by case reference and by using keywords.

Information withheld – FOIA Section 22

The information for 2023 is withheld in accordance with Section 22 of the FOIA as explained above. This exempts information which is held with a view to its publication at a future date and when it is reasonable in all the circumstances that the information should be withheld from disclosure until that date. This is not an absolute exemption, which means we must consider the public interest in maintaining the exemption against lifting it.

The factors in favour of lifting the exemption include:

- Providing information about FOI requests received by the ICO
- Being transparent and open about the work we do

With the public interest factors in favour of maintaining the exemption including:

- The ICO has a history of publishing responses to previous requests, and has committed to publishing this information in the future.
- To prepare this information for disclosure earlier than our intended date of publication in response to individual requests we receive would not be an efficient use of resources when we intend to publish this information in due course anyway.
- Earlier disclosure is not necessary to satisfy any pressing public interest at the present time.

Having considered the public interest arguments, we have decided to withhold this information in reference to section 22 of the FOIA.

Information withheld - FOIA Section 40(2)

Information about identifiable individuals has been withheld because it is exempt under section 40(2) of the FOIA.

Disclosure of this data would break the first principle of data protection - that personal data is processed lawfully, fairly and in a transparent manner.

There is no strong legitimate interest that would override the prejudice that disclosure would cause to the rights and freedoms of the individuals concerned. So we are withholding the information under section 40(2) of the FOIA.

Information withheld - FOIA Section 44 and DPA Section 132

Information about identifiable third party organisations has been withheld in accordance with Section 44(1)(a), which states that:

“(1) Information is exempt information if its disclosure (otherwise than under this Act) by the public authority holding it -

(a) is prohibited by or under any enactment”

The enactment in question is the Data Protection Act 2018. Section 132(1) of part 5 of that Act states that:

“A person who is or has been the Commissioner, or a member of the Commissioner’s staff or an agent of the Commissioner, must not disclose information which—

(a) has been obtained by, or provided to, the Commissioner in the course of, or for the purposes of, the discharging of the Commissioner’s functions,

(b) relates to an identified or identifiable individual or business, and

(c) is not available to the public from other sources at the time of the disclosure and has not previously been available to the public from other sources,

unless the disclosure is made with lawful authority.”

Section 132(2) lists circumstances in which a disclosure can be made with lawful authority, however none of them apply here. As a result, the information is exempt from disclosure.

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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