

12 March 2025

ICO Case Reference IC-367407-N0D1

Request for information

Request received 4 March 2025:

"I received a letter from ICO... it was a warning letter about my CCTV... I am requesting any and all information that you received in connection to the warning letter you sent me...

I am also requesting the name of the solicitors involved in the information you received about me"

Your request has been handled under the Freedom of Information Act 2000 (the FOIA). This legislation provides public access to recorded information held by a public authority unless an appropriate exemption applies.

Our response

We do hold some information in scope of your request but we are withholding it. The identity of the complainant and their complaint correspondence is their personal data. Section 40(2) of the FOIA exempts disclosure of the personal data of others, subject to conditions.

Section 40(3A)(a) of the FOIA details one of these conditions; that disclosure would contravene any of the data protection principles. In our view, this condition would be met in this case because disclosure of the information requested would break the first principle of data protection as explained in [Article 5 of the UK GDPR](#); that personal data shall be processed lawfully, fairly and in a transparent manner.

Regarding complaints about domestic CCTV, we take the view that the complainant does not expect their personal data to be sent to the subject of their complaint. We provide the CCTV operator with what we consider to be sufficient information for us to complete the case, so it is not necessary to disclose further information.

We must also consider that FOI requests are applicant blind. This means that disclosures under the FOIA are made to the wider world, not just the person making the request. People making CCTV complaints to the ICO have an expectation that their personal data will not be made public.

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

We do not hold any information with regard to your request about solicitor involvement in the complaint.

This concludes our response to your request.

Next steps

You can ask us to review our response. Please let us know in writing within 40 working days if you want us to carry out a review.

You can read a copy of our full [review procedure](#) on our website.

If we perform a review but you remain dissatisfied, you can [raise a complaint](#) to the ICO as regulator of the Freedom of Information Act. This complaint will be handled just like a complaint made to the ICO about any other public authority.

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

Information Access Team

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Telephone: 0303 123 1113. Website: ico.org.uk

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