

25 June 2024

IC-311061-L4C5

Request

On 4 June 2024 you asked us for *"the following information regarding your procedures and statistics related to the handling of complaints:*

- 1. Complaint Handling Process: What is the process for handling a complaint from receipt to resolution?*
- 2. Decision-Making Guidelines: Does the ICO follow specific thresholds or guidelines in the decision-making process, or is the final decision at the discretion of the case officer?*
- 3. Training and Qualifications: What training and qualifications are required for ICO case officers responsible for handling complaints?*
- 4. Complaint Statistics: How many complaints did the ICO receive in the last 12 months?*
- 5. Types of Complaints: What are the most common types of complaints received by the ICO in the last 12 months?*
- 6. Investigator Resources: How many investigators does the ICO have working on complaints at any given time?*
- 7. Funding Sources: What are the sources of the ICO's funding? Is any part of this funding public? If so, how much, and what is the source?*
- 8. Complaint Processing Time: On average, how long does it take to process a complaint?*
- 9. Complaint Resolution: What percentage of complaints were resolved within the average processing time over the last 12 months?*
- 10. Availability of Investigator Reports: Are investigator reports available in full or in redacted form after a decision has been made? If not, please provide the reasons."*

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 and will address each point individually.

1. Complaint Handling Process: What is the process for handling a complaint from receipt to resolution?

This information is technically exempt from disclosure in accordance with Section 21 of the FOIA, as we publish information about our complaint handling processes online.

We have published guidance about what to expect from the ICO when you [make a complaint](#), including a [data protection complaint](#), or an [FOI or EIR complaint](#). We also publish an [FOI casework guide](#) and other details about casework handling (such as our [Code of Conduct](#)) can be found on our website, for example, see our [policies and procedures page](#).

We have linked to relevant information in response to previous requests for example regarding the complaint procedure for data protection complaints (see [IC-274051-T9S3](#)) and case handling procedures more broadly (see [IC-271164-B6W1](#)). You can search for information we have disclosed in response to previous requests by visiting our [disclosure log](#).

2. Decision-Making Guidelines: Does the ICO follow specific thresholds or guidelines in the decision-making process, or is the final decision at the discretion of the case officer?

Complaints are handled in line with the relevant legislation and our own guidance in relation to this, see examples below:

[UK GDPR guidance and resources](#)
[EIR and access to information](#)
[Freedom of information guidance and resources](#)

Details about decision making for regulatory action are summarised our response to a previous request [here](#). Please also see the resources we have linked to in response to questions 1 (above) and 3 (below). We also have procedures for considering complaints against decisions we have made, for example see [here](#).

3. Training and Qualifications: What training and qualifications are required for ICO case officers responsible for handling complaints?

We do not specify qualifications for case officers, lead case officers or senior case officers working in data protection or FOI complaints, and the job advert we currently use in each case states 'experience relevant to the role requirements, as described in the role responsibilities and person specification, and accumulated through any combination of academic or vocational qualifications or experience.'

Details about [data protection training](#) and [FOI/EIR training](#) delivered to case officers and other staff at the ICO is available on our website.

We have also published details about training given to case officers ([IC-292191-L3K3](#)), training relating to casework ([IC-203074-K3Y8](#)) and training given to staff working in the Public Advice and Data Protection Complaints Service ([IC-236327-C7Q7](#)).

4. Complaint Statistics: How many complaints did the ICO receive in the last 12 months?

We publish detailed breakdowns of the complaints we handle in our [data sets](#) as well as summaries (including complaint totals) in our [annual reports](#). Some, but not all information for the last twelve months is already available. The remainder will be published in the near future and will enable you to calculate the total number of complaints. The 2023/24 annual report is also due to be published in the coming months. The information due for publication is exempt in accordance with Section 22 of the FOIA and more details about this can be found at the end of this letter.

5. Types of Complaints: What are the most common types of complaints received by the ICO in the last 12 months?

Please see above answers – this information is due to be published and is exempt in accordance with Section 22 of the FOIA. Details about some complaint cases from the last 12 months can be found in [our data sets](#). Summaries from earlier time periods can be found in [previous annual reports](#).

6. Investigator Resources: How many investigators does the ICO have working on complaints at any given time?

We have interpreted this as a request for the number of case officers who work on data protection and FOI complaints. The numbers are as follows:

Public Advice and Data Protection Complaints (PADPCS)

87 Case Officers
52 Lead Case Officers

FOI complaints

7 Case Officers
15 Lead Case Officers
33 Senior Case Officers

7. Funding Sources: What are the sources of the ICO's funding? Is any part of this funding public? If so, how much, and what is the source?

We publish [information about our finances](#) and this includes details of income and expenditure. Our [annual reports](#) also contain information about this. This information is technically exempt in accordance with Section 21 of the FOIA as it is already available to you, and information due to be published in the future is exempt in accordance with Section 22 of the FOIA.

8. Complaint Processing Time: On average, how long does it take to process a complaint?

You can calculate this information using [our data sets](#) and our [annual reports](#) also summarise time taken to process cases. Where the information is already available this is technically exempt from disclosure in accordance with Section 21 of the FOIA. More recent information about this is due to be published and is therefore exempt from disclosure in accordance with Section 22 of the FOIA.

9. Complaint Resolution: What percentage of complaints were resolved within the average processing time over the last 12 months?

Please see our answers to questions 4 and 5 above. You can calculate this information from the information that is available and that which is due to be available later in the year. The latter is exempt from disclosure in accordance with Section 22 of the FOIA.

10. Availability of Investigator Reports: Are investigator reports available in full or in redacted form after a decision has been made? If not, please provide the reasons."

Outcomes are communicated to the complainant and any complained about parties (where relevant) following the completion of a complaint case. Detailed outcomes for data protection complaints are not published, although summaries are published in [our data sets](#). We publish [decision notices](#) in relation to FOI complaints, which provide details about decision making and outcomes.

We publish other action we've taken [here](#).

Please note that detailed outcomes relating to complaints (particularly data protection complaints) may include sensitive information, which if requested may be exempt from disclosure (for example if this includes personal information).

Information withheld – Section 21

Some of the information you have requested is already available on our website and the relevant links have been provided above. Because the information is already reasonably accessible to you, technically it is withheld under section 21 of the FOIA.

Section 21 states that we don't need to provide you with a copy of information when you already have access to it.

Information withheld – Section 22

We intend to publish some of the information you have requested. This means that it is exempt from disclosure under section 22 of the FOIA.

This is not an absolute exemption, which means we must consider the public interest in withholding the information.

The factors in favour of disclosing the information are:

- Providing information regarding ICO complaint handling encourages openness and transparency and improved public confidence in the ICO.

The public interest factors in favour of maintaining the exemption include:

- The ICO has a history of publishing this information on a regular basis and has committed to publishing the information requested in the near future (and at that point the information will be in the public domain); and
- Earlier disclosure is not necessary to satisfy any pressing public interest at this time.

Having considered these factors we have taken the decision to withhold this information in accordance with Section 22 of FOIA.

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



Information Access Team
Strategic Planning and Transformation
Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
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