

17 October 2024

Case Reference IC-332962-C3J8

Request

You asked us:

"Please provide the following information:

1. A list of all UK public bodies required to respond to FOI requests.

For each of these:

a. Contact email for FOI requests

b. Number of FOI requests received:

- i. January 2023 to June 2024 inclusive*
- ii. July 2024 to present*

c. Of FOI requests responded to

i. Between January 2023 and June 2024 inclusive

- 1. Number that were responded to on time*
- 2. Number that were responded to late*
- 3. Number that were appealed to you*

ii. From July 2024 to present

- 1. Number that were responded to on time*
- 2. Number that were responded to late*
- 3. Number that were appealed to you*

d. Number of appeals to you received from recipients of FOI request responses, monthly, from January 2023 to present"

We received your request on 21 September 2024.

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

Our response

We hold some information in scope of your request, however we are not obliged to comply with all of your request. This is because it would take us too long to carry out the searches to comply with it, so section 12 of the FOIA applies here. See further below for the explanation about this.

For question 1(d), we hold monthly figures for July, August and September 2024, up to and including the date we received your request (25 September 2024).

Monthly figures for the remaining time period (January 2023 to June 2024) can already be obtained through our publicly available datasets. Please find the link to this further below (Section 21 – FOI appeal statistics).

There were 778 complaint cases received by the ICO in July 2024, 586 in August 2024, and 538 in September 2024 (up to and including the 25 September).

Section 12 – Cost limit exceeded

Conducting the searches necessary to confirm if we hold the information you have asked for in questions 1(a), 1(b) and 1(c) would exceed the cost limit set out by section 12 of the Freedom of Information Act 2000 (FOIA).

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 states that the 'appropriate limit' for the ICO is £450. We have determined that £450 would equate to 18 hours work.

Explanation

We don't have a central source of information or a simple method to obtain the information which would allow us to reasonably complete your request. We don't have a central list of every public authority ("PA") which is subject to the FOIA or a central list of contacts for every PA, and we don't have a straightforward way to find out how many FOI requests have been received by other PAs in the specified time period. In any case, that information would be incomplete and

therefore inaccurate, for the reasons outlined below.

This limitation also applies to the details of FOI requests handled by other PAs in the specified time periods, their response times, and whether they were appealed to the ICO or not. We do not monitor FOI requests of other PAs, or act as a central source of information for all FOI requests handled by other PAs.

We have a case management system which contains accounts for PAs, but this would not necessarily be an exhaustive count of all PAs subject to FOIA. We tend to hold contact details for the PAs on our system, but they may not be an FOIA contact point, and there may be PAs where we'd have to search multiple information locations to obtain a possible FOIA contact point to answer this request.

Our case management system is where we process FOIA appeals (usually termed as "FOI complaints" in our day-to-day business) received by the ICO, and we log them appeal cases against the relevant PA account and issue decisions about them cases.

There would be some details of the nature of the complaint in the complainant's initial submission to the ICO and in further correspondence and documentation on the case, but it would not necessarily provide the clear indicators that we would need in order to help us answer your request.

To provide the figures you have requested, we would have to check through thousands of FOI complaint cases to check whether the cases contained references to a late request response or not.

We hold over 10,000 complaint cases which we received from January 2023 to July 2024 that could contain information that would contribute to answering your request (this includes FOI complaint cases and "Hybrid" complaint cases which may include complaints under related legislation such as environmental information law).

It is possible for us to record complaint cases as being a complaint which relates to section 10 of FOIA (this is the section of FOIA which sets out the statutory time for compliance with a request).

However, this may not have been recorded as a primary complaint issue and so we'd have to do an exhaustive check through all cases within the specified time periods. There may be complaint cases where the main issue of the complaint was about an exemption which a PA relied on in their response, but it may also

be that their response was late and this was simply not emphasised in the complaint case. If it was not obvious from the outset, we'd need to check through the case to find that information. To provide you a figure for the amount of responses which we can see have been submitted in time by a PA, we'd have to check through all potential cases in scope.

We would also have to check whether we officially decided there was in fact a late response or not, as some complaints may refer to an unofficial late response, in the sense that it was inconvenient or took longer than expected, rather than an actual statutory breach of section 10 of FOIA (a response which was submitted later than the statutory time limit).

For example, if a complainant came to us about a PA that has responded late to their FOIA request, we'd probably log it as a complaint regarding section 10 of FOIA. However, it may just have been a response which was submitted late on within the time limit, or it may have been the first response they'd had from the PA since they made their request. To filter this out, we'd have to check through each potential case in scope on our system.

More broadly, if we were to complete these searches, the information would still be undoubtedly incomplete, so we would never truly be providing all the information you have asked for.

Our complaint cases would not necessarily capture all FOI requests that were received during the specified time periods.

We would also have to carry out redundant searches. For example, we could hold a complaint case received in January 2023, but the actual FOI request which that complaint was about could have been responded to in November 2022, which would render that case out of scope of this request.

There may be FOI requests handled by PAs which were never appealed to the ICO, and there may simply be missing or omitted details in our cases or other information sources. This is a potentially significant number of requests and associated details which we'd be missing from our response to you.

Overall, this means our response to your request could never get close to providing a truly comprehensive picture of FOI requests at every PA within the specified time periods.

Advice and assistance

We can firstly point you to the available resources online.

You can access the ICO's FOI complaints datasets on our website. This gives details of the FOIA complaint cases we handle:

<https://ico.org.uk/about-the-ico/our-information/complaints-and-concerns-datasets/complaints-under-s50-of-the-freedom-of-information-act-2000/>

The following resources may also be useful to you:

Central government FOI statistics:

<https://www.gov.uk/government/collections/government-foi-statistics#2024>

NPCC request statistics:

<https://www.npcc.police.uk/About-Us/governance-and-accountability/foi-and-subject-access-request/>

You may also consider refining your request, so that it is more likely to stay under the FOIA cost limit.

You could ask us for further details relating to our FOI complaints casework, or about our other regulatory FOI work, such as upstream regulation with PAs.

You may wish to narrow the time range of your request, so we could feasibly carry out searches of cases within a more limited time range. You may wish to consult our complaints datasets and look at the criteria we use to categorise cases. This may help the request to be more targeted to how we process our casework.

Please note we would need to consider if it is in the public interest for us to dedicate the resources necessary to carry out this kind of search, or whether it represents an unreasonable burden on us as a public authority.

Section 21 FOIA – List of PAs

Schedule 1 of the FOIA sets out a list of public authorities, and the types of public authorities, which are subject to the FOIA.

You can access the information on the UK's legislation website here:

<https://www.legislation.gov.uk/ukpga/2000/36/schedule/1>

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.

Section 21 FOIA – FOI appeal statistics

We publish our FOI complaint statistics on our website. This information partly covers the information in scope of question 1(d).

You can access the information here:

<https://ico.org.uk/about-the-ico/our-information/complaints-and-concerns-data-sets/complaints-under-s50-of-the-freedom-of-information-act-2000/>

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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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