

16 January 2025

## **ICO Case Reference IC-352752-M7K1**

### **Request for information**

Request received 20 December 2024:

"I would like the number of complaints (sar, foi and environmental) sent to central gov departments in the last 6 months?

Include the date the complaints were received, icos deadline, the date the ico completed the complaint and how long the ico gave the departments to respond?"

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 information in scope of this request. However, we are refusing this request as finding and extracting the information 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.

The date that we first advise a complained about organisation that we have received a complaint, if we contact them at all, is not information that we record in an easily searchable field in our casework management system. Similarly, any deadlines for response given to organisations in relation to complaints is not information that we record in an easily searchable field in our casework management system. So our case management system is unable to

run a quick, automated report on this type of information. To locate the information you have requested would require a manual search of each case in scope. We would need to review the outgoing correspondence to organisations on each complaint case to be able to ascertain the date we contacted them and any deadlines given.

There may be a period of weeks or months between the ICO receiving a complaint, and the complained about organisation being contacted, if they are contacted at all. As you have asked us to consider all complaints "sent to central gov departments in the last 6 months", this would include correspondence on complaints submitted to the ICO *over* six months ago, but where any correspondence may have been sent to the central government department within the last six months.

We would need to manually search all complaint cases held in our casework management system where we may have corresponded with the complained about organisation within the last six months to find all the information in scope. Our casework management system currently holds 2247 complaint cases about central government that have been completed in the past six months and could thus fall in scope of your request.

Even if each search would take only one minute to complete – and it is certain that some searches would take much longer than that – this would clearly exceed the 18 hours which would accrue a charge of £450 or more, triggering the provisions of section 12 of the FOIA.

### **Advice and assistance**

We may be able to respond to a request with more narrow and more easily searchable parameters, subject to the legislation. For example, you could limit your request to a shorter timeframe, and to complaints that were received or were completed in that shortened timeframe, rather than to a timeframe in which the complained about organisation was contacted. You could also limit your request to a specific central government department.

However, please note that we already publish some of the information you have requested. Our [Complaints and concerns data sets](#) are published

quarterly. These datasets detail completed complaint cases for both [data protection complaints](#) and [complaints under s50 of the Freedom of Information Act 2000](#). The datasets include the date the complaint was received, the date it was completed, and the sector of the complained about organisation, including central government.

Where requested information is already reasonably accessible to you, section 21 of the FOIA states that we don't need to provide you with a copy of the information. Where we already have a settled intention to publish requested information, section 22 of the FOIA states that we don't need to provide you with a copy of the information, subject to a public interest test.

We can also advise that for FOI complaints, the time usually given for public authorities to respond to a complaint once contacted by the ICO is outlined on pages 11 and 12 of the [FOI casework guide hub](#).

## **Further information**

Please note that we may contact an organisation about a complaint and ask them to respond by a certain date, but may then grant an extension to that deadline under certain, limited circumstances. This is not information recorded in an easily searchable field in our casework management system. Or we may contact the organisation and ask them to contact the complainant within a certain timeframe, but do not ask them to respond directly to the ICO. Again, this is not information recorded in an easily searchable field. Furthermore, we do not always contact the organisation being complained about.

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](https://ico.org.uk)

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