

30 May 2025

IC-384115-F8F1

Request

"Any complaints made against the organisation Scotland in Union between 2015 and 2019.

Any reports regarding Scotland in Union's data practices.

Emails between 2015 and 2019 regarding 'Scotland in Union'."

We received your request on 7 May 2025.

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.

We hold information about an investigation into Scotland in Union, following a data breach they reported to us in 2018. The investigation was closed with an outcome of 'no further action'.

The information is withheld under section 30 of the FOIA, which is explained in further detail below.

We hold no other information about Scotland in Union. Please note any complaints received between 2015 and 2019 would have since been deleted in line with our [retention policy](#).

Information withheld – section 30

The information we hold about our investigation is exempt from disclosure under section 30 of the FOIA. Section 30(1) states:

'Information held by a public authority is exempt information if it has at any time been held by the authority for the purposes of-

- a) any investigation which the public authority has a duty to conduct with a view to it being ascertained-
 - i) whether a person should be charged with an offence, or
 - ii) whether a person charged with an offence is guilty of it,
- b) any investigation which is conducted by the authority and in the circumstances may lead to a decision by the authority to institute criminal proceedings which the authority has power to conduct, or
- c) any criminal proceedings which the authority has power to conduct.'

The information you have requested falls into the category described in section 30(1)(a)(i).

Section 30 is not an absolute exemption. We have therefore considered the public interest test for and against disclosure.

In this case the public interest factors in disclosing the information are:

- There is a general public interest in transparency about the ICO's functions.
- There is public interest in transparency about this matter in particular, which received some press attention at the time.

The factors against disclosure are:

- The disclosure of information about a criminal investigation may alert parties currently under investigation to our thinking, approach and methods. This would impact on our ability to conduct investigations effectively in the future.

- Disclosure could inhibit organisations from reporting potential offences to us, and to engage with us in a full and frank manner, for fear we would go on to disclose information held in relation to an investigation.
- The ICO is committed to publishing action we have taken when appropriate, in line with our [Communicating our Regulatory and Enforcement Activity Policy](#).

Having considered these factors, we find that the public interest does not favour disclosure.

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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