Date: 4 August 2022

IC-178668-W8C2

Request

You asked us:

"Open letter from UK Information Commissioner John Edwards to public authorities

'I am therefore writing to you today to confirm that for the next two years the ICO will also be trialling an approach that will see a greater use of my discretion to reduce the impact of fines on the public. In practice this will mean an increase in public reprimands and the use of my wider powers, including enforcement notices, with fines only issued in the most egregious cases.'


1. Please provide the number of fines you issued in 2020/21 and their total value.

2. Of the fines issued in 2020/21, please provide the amount that has been paid.

3. Please provide all information you hold on the expected reduction in fines during the trial period.”

We asked you for clarification on the third point. You clarified it as follows:

"Before something is trialled, its likely impact is often considered. I am seeking information you may hold on (i) the expected reduction in the number of fines resulting from the trial and (ii) the expected reduction in total fine income resulting from the trial.”
We received your request on 30 June 2022. We have handled your request under the Freedom of Information Act 2000 (the FOIA).

Our response

In relation to points one and two of your request, we routinely disclose both the monetary penalties and the status of such penalties on our website. You can find a list of the monetary penalties on our “Enforcement Action” page.

We also publish the status of these penalties on our “The ICO’s work to recover fines” page (in particular, the link titled “Civil monetary penalties, 2010-present” will take you straight to the spreadsheet detailing whether they are, for example, paid, unpaid, partially paid, subject to appeal, etc).

Not every monetary penalty notice on the enforcement action page is currently on the civil monetary penalties spreadsheet, so it is therefore clear that further information is held that is not yet reflected on the spreadsheet. However, I consider this information is exempt from disclosure in reliance of section 22 FOIA. This section exempts information intended for future publication and, given that we already routinely disclose this information, I consider this applies here.

In relation to the final point of your request, I have conducted reasonable searches to determine whether we conducted any kind of analysis of a nature described in your request prior to the trial to reduce the number of fines to public authorities. I can confirm that we do not hold any information in scope of your request.

This concludes our response. I hope you find the information useful.

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 here.

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 set out your rights. Our retention schedule can be found here.

Yours sincerely

Information Access Team
Risk and Governance Department, Corporate Strategy and Planning Service
Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
ico.org.uk twitter.com/iconews

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