Date: 22 March 2023

IC-218273-N9C9

Request

You asked us:

"1 Please provide
a) information of the ICO that identifies what is the "Standard approach s36" (referred to in Section 2 of the form); and
b) any information of the ICO that indicates how that standard practice should be applied by case officers.

2 The ICO FOIA/EIR Casework Service Guide indicates that case officers should generally review withheld information. What guidance (apart from in relation to information that is clearly special category personal data) is provided to case officers (whether directly or through training courses) as to when not to review any withheld information?"

We received your request on 24 February 2023. We have handled your request under the Freedom of Information Act 2000 (the FOIA).

Our response

In relation to the first part of your request, I consulted with the case officer who decided the case to understand what they meant when they wrote 'Standard approach s36' and whether it referred to specific, recorded information. They have advised that the term does not refer to anything specific, but rather that the matter was considered in line and consistent with our section 36 guidance (scroll down to the relevant section) and previously issued decision notices (you can apply a filter to see relevant decision notices that concerned section 36).

As such, I do not consider we hold any specific information which defines a 'standard approach s36'. However, in relation to the second part of your request concerning how a standard approach should be applied by a case officer, I do
consider we hold some information in scope. Specifically, I consider the resources linked above to our section 36 guidance and our decision notices broadly encompass our approach to handling appeals about section 36 cases. I have also been made aware of some internal guidance that is in scope, which I have attached.

In relation to the second part of your request, I do not consider we hold any information in scope of your request. During my consultation, I was advised that the decision as to whether or not it is necessary to review the withheld content is a judgement to be made by the case officer taking into account the facts of the case.

This concludes our response to your request. I hope you find the information helpful.

**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
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