



# Department for Business, Energy & Industrial Strategy

Information Rights & Records Unit  
Department for Business, Energy &  
Industrial Strategy  
1 Victoria Street  
London  
SW1H 0ET

T +44 (0)20 7215 5000 - Public enquiries  
+44 (0)20 7215 6740 - Textphone (for  
those with hearing impairment)  
E [foi.requests@beis.gov.uk](mailto:foi.requests@beis.gov.uk)

[www.gov.uk/beis](http://www.gov.uk/beis)

Our ref : FOI2021/15560

23 July 2021

Dear Ms Jenna Cordeory,

Thank you for your email of 18th June where you requested information regarding challenges to ICO Decision Notices.

Under the Freedom of Information Act 2000 ('the Act'), you have the right to:

- know whether we hold the information you require
- be provided with that information (subject to any exemptions under the Act which may apply).

You requested the following information:

*(1) Since June 2016, please state how many times this department has appealed ICO Decision Notices on freedom of information/environmental information.*

The Department for Business, Energy & Industrial Strategy has appealed two ICO Decision Notices issued after June 2016.

*(2) For each challenge, please provide the name of the case (e.g. Cabinet Office v Information Commissioner and Jenna Corderoy).*

Both cases were Department for Business, Energy & Industrial Strategy V Information Commissioner and Mr Alex Henney.

*(3) For each challenge, please provide the total amount of money spent by the department. If you are able to, please provide a detailed breakdown of costs. If the challenge is still ongoing, please provide the most recent figures.*

These two cases were handled together.

Total Government Legal Department costs (including VAT) were £25,484.27. Of this £4231.43 was Counsel's fees and £21,252.84 was Government Legal Department's fees and charges.

*(4) For each challenge, please briefly describe the outcome of the case if completed. Please indicate whether the department further appealed. If the department appealed against the outcome, please also provide the total amount of money spent by the department on the appeal as well as the name of this case.*

Both cases were completed by Consent Orders. No further appeals were made.

## **Appeals procedure**

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original request and should be addressed to the Information Rights & Records Unit. It would be helpful if you can tell us why you are dissatisfied with the response to your request so we may address this during the internal review.

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Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Complaints can be made to the Information Commissioner via their website at: <https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/>.

Yours sincerely,

Information Rights & Records Unit  
Knowledge & Information Management Team