

Freedom of Information

Volume 21, Issue 1

September / October 2024

Headlines

- Latest enforcement notices, p.18
- Water companies must be more transparent, says ICO, p.19
- AI can help US FOIA Offices combat onslaught of bot-powered requests, report says, p.20

Contents

Expert comment	2
Protecting the interests of individuals supplying information under the EIRs — what do the latest ICO decision notices tell us?	4
Recent decisions of the Commissioner and Tribunals	7
ICO Decision Notices Snapshot — July/August 2024	12
FOI news	17

ICO releases interim report on its FOI Upstream approach

The Information Commissioner's Office ('ICO') has released an [interim report](#) ('the Report') from its year-long 'upstream' project aimed at supporting public authorities to be open and accountable with the public.

The project, which has been led by a dedicated ICO team, has had four key elements (see pages 2-3) and the Report evaluates the progress made in each area.

The interim evaluation has been completed in order to support decision-making and a potential bid for further funding. It

is being followed up with a final evaluation in April 2025.

The support through the project has been given through guidance, templates and toolkits. The ICO has been working with 80 FOI practitioners to assess the usefulness of these resources.

The Report notes that ICO resources used to deliver the project (finance, staff time and systems) have been used effectively and efficiently and met original expectations. It says that further resources could be introduced to enable additional

work streams, such as training provision.

During the interim evaluation period, the ICO delivered 13 case studies, five blog posts, three response templates, 28 newsletters, eight learning resources and training videos, 21 FOI related event appearances, 19 practice recommendations and 11 enforcement notices.

The overwhelming majority of respondents to the interim evaluation survey had used or were aware of the ICO's FOI

[\(Continued on page 17\)](#)

New report from consensual audits

The ICO has published an [outcomes report](#) ('the Report') of a series of nine consensual audits that it undertook at ten police forces between July 2023 and March 2024.

"The aim of our audit[s] is to assess measures in place and individually report back key findings. They serve another purpose too, as we proactively publish overall outcomes reports setting out our findings and recommendations that can broadly be used by all

public authorities to improve compliance", writes Phillip Angell, Head of FOI Complaints and Appeals at the ICO.

The ICO's objective in carrying out the police audit programme was to assess the extent to which FOIA/EIRs accountability, policies and procedures, performance measurement controls and reporting mechanisms to monitor compliance were in place and operational within each organisation.

The audits resulted in 152 recommendations for improvements across seven distinct areas. These included improved policies and procedures to mitigate against reduced staff levels and resources, and improved training and freedom of information awareness. The ICO will be revisiting each police force within nine to 12 months of publishing the Report to check the recommendations have been actioned.

[\(Continued on page 18\)](#)