

## FOI 23/362 – ICO findings of breaches of FOIA

### MHRA RESPONSE

3 July 2023

Dear

Thank you for your request under the Freedom of Information Act, we apologise for the delay in response.

You requested

*Under the requirements of the Freedom of Information Act I am writing to ask that you inform me of the number of times (since 1st January 2020 until the date of your response) that the Information Commissioner has found that the MHRA has breached section 10(1) of FOIA in that it failed to provide a valid response to an FOIA request within the statutory time frame of 20 working days.*

*Please also inform me of the number of times over the same time period that the information commissioner has found the MHRA to be in breach of the FOIA for any reason.*

*Please also inform me of the number of times over the same time period that the Information Commissioner (or a member of staff of the ICO) has written to the MHRA to remind them of their responsibilities under the FOIA with regard to their response to any FOIA requests.*

We confirm that we hold the information you have requested, however, Section 21 (Information already reasonably accessible) applies to some of it. Further detail is provided below.

In response to the information requests contained within the first two paragraphs of your email:

The Information Commissioner's Office (ICO) findings for breach of Section 10 are published in Decision Notices which are available on the ICO website. Similarly, any findings from the ICO on all aspects of FOI handling and the application of exemptions are also published in Decision Notices. Section 21 applies to this information as it is published and accessible via the link below. From the navigation options on the left of this page you can select 'More filters' and then filter by Authority. You can select Medicines and Healthcare products Regulatory Agency from this list, to filter the overall list of Decision Notices:

<https://icosearch.ico.org.uk/s/search.html?collection=ico-meta&profile=decisions&query>

In relation to the third part of your request. The ICO writes to public authorities to remind them of their responsibilities when they receive a complaint about a delayed request or internal review. We have therefore interpreted your request as seeking the number of times the ICO has contacted us to advise that they have received a complaint about a delayed response or internal review. We have received 49 such contacts from the ICO, of these 35 related to initial responses and 14 related to Internal Reviews.

If we have misinterpreted your request, or if you have any questions about the information provided then please come back to us.

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 you receive this response and addressed to: [info@mhra.gov.uk](mailto:info@mhra.gov.uk)

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

If you were to remain dissatisfied with the outcome of the internal review, you would have the right to apply directly to the Information Commissioner for a decision.

Please bear in mind that the Information Commissioner will not normally review our handling of your request unless you have first contacted us to conduct an internal review. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Yours sincerely

**MHRA Customer Experience Centre**

Communications and engagement team

Medicines and Healthcare products Regulatory Agency

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