

Chris [REDACTED]

Your email to the ICO - Case Reference IC-188010-V0J0

icocasework <icocasework@ico.org.uk>
To: Chris Bury [REDACTED]

3 February 2023 at 10:55

3 February 2023

Case Reference: IC-188010-V0J0

Dear Chris Bury

Thank you for your email of 26 January 2023.

I appreciate that you consider the actions of Herefordshire Council to breach the data protection legislation but the evidence provided by yourself and the Council does not categorically indicate this.

If you want a more final determination then you are entitled to take your case to court. Unfortunately the ICO cannot assist in this process and we would suggest you consider obtaining your own legal advice should you wish to pursue this through the courts.

The data protection legislation gives you a right to claim compensation from an organisation if you have suffered material or non-material damage as result of their actions. The ICO cannot award compensation or assist with a claim. We would recommend you take legal advice if you wish to make a claim for compensation.

In this case we do not consider further action to be appropriate. If you remain dissatisfied with how we have handled your complaint, you can complain to us within the next three months. You would need to complete the form on our website <https://ico.org.uk/make-a-complaint/complaints-and-compliments-about-us/>.

Yours sincerely

Alison Fletcher
Lead Case Officer
Information Commissioner's Office

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
T. 0330 414 6293 ico.org.uk twitter.com/iconews
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----- Original Message -----

External: This email originated outside the ICO.
Dear Ms Fletcher,

Thank you for your email of 16th January 2023 (copy attached as 1 - ICO Complaint Herefordshire Council data gathering 21-08-2022.pdf).

My complaint is not merely a matter of how Herefordshire Council responded to my SAR but what such assisted in revealing, inter alia, including the apparent lack of compliance with the Data Protection Act, its principles and the blatant disregard of RIPA and Human Rights.

It is also about the distress and harm caused through extended trawling for, collection, sharing and use of data from various sources over more than 5 years by various Herefordshire Council staff, from websites to social media, circumventing restrictions in the process, breaching Human Rights and disregarding their policies, for contentious purposes.

Incidentally, I duly noted Herefordshire Council recently attempted to follow me on Twitter, disregarding legislation and their policies, and once again, after their last of numerous attempts to intimidate and threaten and subsequent retraction.

Additionally, it is even more evident since my complaint was raised with the ICO on 21st August 2022 (copy attached as 2 - ICO Case Reference_ IC-188010-V0J0.pdf) that Herefordshire Council, not only deceived the ICO previously during these years, causing financial hardship and distress by 'accidentally' losing my data, but most concerning, with purpose wilfully misled and deceived the courts regarding care & support of a vulnerable relative, and have continued to breach a court order.

I can only hope that you as representative of the ICO, re-evaluate your tentative indecision and the evidence you have seen so far, and hold Herefordshire Council to account for the distress and harm they have caused.

Should you remain undecided I suggest the case is handed to a colleague who is able to make a conclusive decision.

Sincerely

Chris Bury



Sender notified by
Mailtrack

On Mon, 16 Jan 2023 at 15:49, icocasework <icocasework@ico.org.uk> wrote:

16 January 2023

Case Reference: IC-188010-V0J0

Dear Chris Bury

Thank you for your correspondence in relation to your complaint about the way Herefordshire Council have responded to his subject access request (SAR) and your "extensive unauthorised, therefore unlawful due to RIPA legislation, monitoring, data collection & sharing regarding my internet presence and social media".

I have reviewed all the information in this case and am unable to conclude that the Council has not met their data protection obligations or that they have not complied with RIPA. The Council's letter to you, dated 23 May 2022, provides their response to your SAR and clarifies their position in relation to your query about direct monitoring/surveillance. They have also reiterated this in their correspondence to the ICO. I appreciate that you disagree with the Council's statement but the ICO is not in a position to dispute what you say about this matter and what the Council states.

Yours sincerely

Alison Fletcher
Lead Case Officer
Information Commissioner's Office

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