

From: informationgovernance@herefordshire.gov.uk
To: icocamework@ico.org.uk;
CC:
Subject: RE: ICO Case Reference: IC-188010-V0J0
Direction: Incoming
Date Received: 12/01/2023 14:42

External: This email originated outside the ICO.

Dear Alison,

Thank you for your email contact advising us of the complaint that you have received.

Herefordshire Council received a Subject Access Request from Mr Bury on 13th April 2022 to which we responded on 23rd May 2022.

Within his request Mr Bury requested the following:

- Copies of all authorisations regarding the direct monitoring/surveillance and sharing of data that has taken place regarding me & my private life including of social media, news article comments etc.
- A Copy of Herefordshire Council's RIPA Policy.
- Herefordshire Council's RIPA policy can be found on the Council Website:
- All communications and information regarding the 'investigation work' offered on 15th March 2021 via email to colleagues regarding me.
- A Copy of Mr Stephen Vickers response to all councillors regarding the letter I ask they forward to Mr Vickers.
- Written confirmation that Herefordshire Council rely on the collected information gathered from my social media and other sources from 14th September 2020 onwards as evidence, as stated in one of the records I received.

A copy of our response to Mr Bury is attached for your information.

Our response confirmed to Mr Bury that Herefordshire Council Communications Teams monitors publically available information on social media sites and within news articles which includes comments made about the organisation and its staff members, by members of the public. As this information is in the public domain there is no authorisation process required. The information regarding authorisations around direct monitoring and surveillance do not exist because there was no direct monitoring and surveillance taking place.

Information withheld in our response to Mr Bury were the names of members of staff contained within email trails who are at administrator/officer level and we determined that this constituted the personal data of third parties and therefore exempt from disclosure.

Mr Bury referred to investigation work being offered on 15th March 2021. This relates to a copy of an email which was provided to Mr Bury in response to a previous request. The email itself was a conversation between council staff members, within the communications team, who's attention had been drawn to inappropriate comments about Herefordshire Council and its staff being made on a social media post. The communications team were asked to investigate where the comments had been made and by whom so that we could ask the site owner for them to be removed. This information was obtained by reviewing publically available social media posts.

I can confirm that no directed surveillance of Mr Bury and his activities has taken place as explained in our response to him. At all times information has been obtained from publically available sources such as websites/social media sites.

If you have any further queries or require further information please do not hesitate to contact me.

Kind regards
Helen

Image

Helen Worth
Information Governance Manager
Plough Lane, Hereford
HR4 0LE

From: icocasework <icocasework@ico.org.uk>
Sent: 05 January 2023 16:11
To: Information Governance (Council) <informationgovernance@herefordshire.gov.uk>
Subject: ICO Case Reference: IC-188010-V0J0

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5 January 2023

Case Reference: IC-188010-V0J0

Dear Helen Worth

The Information Commissioner's Office (ICO) has received a complaint from Chris Bury 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".

In order to resolve this complaint you should provide us with the following information:

- how you have handled this SAR;
- any information you withheld and why you did so;
- an explanation of any directed surveillance which has taken place;
- If surveillance has taken place an explanation of the Council's
 - lawful bases for this;
 - compliance with the Regulation of Investigatory Powers Act 2000 (RIPA) for undertaking this. This explanation should indicate the valid reason for its use and which less intrusive methods were considered first.

You must send us your response as soon as possible and in any event within **21 days**.

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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For information about what we do with personal data see our privacy notice at www.ico.org.uk/privacy-notice.

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From: informationgovernance@herefordshire.gov.uk
To: icocamework@ico.org.uk;
CC:
Subject: RE: Your email to the ICO - Case Reference IC-188010-V0J0
Direction: Incoming
Date Received: 17/01/2023 12:56

External: This email originated outside the ICO.

Hi Alison

Thank you for your email.

Do you require further information/an additional explanation to be provided in order to assist further? I can ask our legal team to review if required.

Kind regards

Helen

Image

Helen Worth
Information Governance Manager
Plough Lane, Hereford
HR4 0LE
