Chris[redacted]

Your email to the ICO - Case Reference IC-32[redacted]

icocasework <icocasework@ico.org.uk> 4 December 2024 at 13:19
To: Chris Bury[redacted]

4 December 2024

Case Reference: IC-32[redacted]

Dear Chris

Thank you for the further information you sent to us on 28 November 2024 in relation to your complaint about Herefordshire Council's handling of two subject access requests you made to them the first submitted on 12 March 2024 and the second submitted on 27 July 2024.

The ICO's role

Part of our role is to consider complaints from individuals who believe there has been an infringement of their data protection rights.

The law says we must investigate data protection complaints to an appropriate extent. We will put most of our effort into dealing with matters we think give us the best opportunity to make a significant difference to an organisation's information rights practices.

Depending on the circumstances, we will decide whether or not to take action against the organisation and what form our action will take. We do this by taking an overview of all concerns that are raised about that organisation with a view to improving their compliance with the data protection framework. Our decision will not affect your ability to enforce your rights through the courts.

Our view

We have considered the information available in relation to this complaint and we are of the view that Herefordshire Council has not complied with their Data Protection obligations. This is because you did not receive an appropriate response to your subject access requests within the one month statutory timeframe. We consider this to be an infringement of the legislation.

Under the General Data Protection Regulations (GDPR), information must be provided without delay and at least within one calendar month (commencing on the day after receipt). This may be extended by a further two calendar months from the day after receipt for complex or numerous requests. However organisations need to let individuals know as soon as possible if they are going to need more time to reply.

Further action required

We have written to Herefordshire Council about their information rights practices. We have told them they should now review both your subject access requests and ensure that they provide you with an appropriate response within **7 calendar days**.

We keep a record of all the complaints raised with us about the way organisations process personal information. The information we gather from complaints may form the basis for action in the future where appropriate.

Thank you for bringing this matter to our attention.

Yours sincerely,

S[redacted] A[redacted]
Case Officer
Information Commissioner's Office

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