Herefordshire Council

Directorate/Division: Corporate Support
Team: Information Governance
Please ask for: Claire Jacobs
Direct line:
Email: informationgovernance@herefordshire.gov.uk
Date: 24 March 2025

PRIVATE & CONFIDENTIAL
Mr Chris Bury
[redacted]

Dear Mr Bury,

I write further to your letter of 17 February 2025 in which you requested we investigate your concerns that Herefordshire Council has mishandled data breaching Data Protection laws, that council staff had engaged in further unreasonable harassment and that a fraudulent individual was posing as a council employee, with ID.

I have considered the points that you have raised. Your letter of 17 February was a response to mine of 25 January in which I advised you that I'd been unable to trace a subject access request you'd sent to us concerning your vehicle, which you'd mentioned in your letter to the Chief Executive dated 22 January.

The Information Governance team, which processes all subject access requests received by the council, had not been sent your request direct nor had it been forwarded to our team. Further checks were made with other departments, including the Chief Executive's Office and Legal, who have received previous correspondence / requests from you in the past; however, they had also not seen this request. Your letter contained little detail of what the council's involvement with your vehicle was, apart from that it concerned a 'proposed towing', and included no details of when your request was sent, to who it had been sent to, or any details of the vehicle concerned (such as a registration number). As such, we were unable to trace the request further and advised you to send a further copy to the Information Governance team. A copy of your request (dated 30 October 2024) was subsequently received and logged as [redacted]

Having read that request which contained further details which explained that it was the Community Protection team who had made initial contact with you regarding your vehicle, we have been able to ascertain it was that team who received the original letter and held the records concerned. That team dealt with your enquiry as a follow-up to their contact (placing of a 'Council Awareness' sticker on the vehicle concerned), and from the 'Service Request Notes' I can see that one of the officer's in that team, D[redacted] P[redacted], visited you on 18 November and discussed the reason for the notice on the vehicle and explained the abandoned vehicle investigation procedure. During the visit he also confirmed that the new information provided meant that the vehicle was no longer considered abandoned and that the case was closed.

I do not consider that Herefordshire Council has mishandled personal data and breached Data Protection laws. The team who received your correspondence concerning your vehicle dealt with the matter as a service request rather than a subject access request, and met with you to explain the issue, their procedures and to resolve the case. Although you are at liberty to submit a subject access request to any council department or officer it may, in future, expediate the process if you send these direct to the Information Governance Team, Herefordshire Council, Plough Lane, Hereford, HR4 0LE or by email to informationgovernance@herefordshire.gov.uk However, in this case, I consider that the Community Protection team's handling of your request as a service request led to a swifter resolution for you concerning your vehicle than would have been achieved had this been originally logged and dealt with as a subject access request.

Regarding your claims that a lack of response to your request was an example of council staff engaging in further unreasonable harassment, I am unclear who you are alleging has harassed you concerning your request about your vehicle. The report of an abandoned vehicle was received and investigated by the Community Protection team, who met with you in November to discuss and resolve the issue. If you have any concerns regarding that process, then you would need to contact that team or make a formal complaint. If you are alleging the Information Governance team have harassed you, I do not consider that to be the case. The Information Governance team were not aware of your request concerning the vehicle and when a response was chased on 22 January, we made enquiries to locate the request based upon the information available to us at the time, and advised you on 25 January that we had not been able to trace this and confirmed we would need you to send a further copy. When that was received, it was then logged promptly, and a response has been provided to you.

Regarding your concern that someone has been fraudulently posing as a council officer, I have found no evidence of this. A Community Protection officer, D[redacted] P[redacted], visited you on 18 November and discussed the reason for the notice on the vehicle and explained the abandoned vehicle investigation procedure. He also confirmed that the new information provided meant that the vehicle was no longer considered abandoned and that the case was closed. I would confirm that he is a council officer and I note in your letter that he did have ID. If you have ever any concerns that someone is not from the organisation they claim to be from then you should raise that with the organisation concerned at the time.

I trust that the above addresses the concerns that you raised, however, if you remain concerned regarding the handling of your data you can refer this matter to the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Telephone: 01625 545 745 Web Site: www.ico.org.uk

Yours sincerely

[redacted]

Information Governance Manager
Information Governance Team