Formal Complaint to the Information Commissioner's Office
Complainant: Mr C. Bury

Date: 05-05-2025

Subject: Complaint Regarding Case Handling – Alison Fletcher and Rachel Webster, ICO Officials

I am writing to submit a formal complaint regarding the conduct of Alison Fletcher and Rachel Webster in their capacity as case officers at the Information Commissioner's Office (ICO). Their mishandling of my data protection complaints against Herefordshire Council has resulted in the obstruction of my statutory rights, regulatory inaction, and a failure to uphold the ICO's own legal and procedural obligations under the UK GDPR, the Data Protection Act 2018, and internal ICO standards.

Background:

The complaints submitted to the ICO concerned Herefordshire Council's failure to lawfully process my personal data, repeated non-compliance with Subject Access Requests (SARs), covert and unauthorised surveillance without lawful RIPA application of my social media accounts and website for years, and systematic suppression of access rights through misapplication of the "vexatious" label. Despite providing clear and verifiable evidence across multiple communications, both Alison Fletcher and Rachel Webster failed to act on or even acknowledge breaches of data protection law.

Grounds of Complaint:

1. ICO staff failed to identify or adequately investigate surveillance breaches confirmed in Council records. Despite receiving evidence and logs showing monitoring of my social media, website and other data, the ICO refused to recognise this as processing under Article 4 of the UK GDPR or question its lawfulness under Article 6.

2. The right of access under Article 15 was repeatedly denied by Herefordshire Council, including failure to disclose key data and internal communications. ICO officers dismissed my complaint without addressing this breach, thereby enabling continued non-compliance.
3. The ICO failed to consider or apply Article 21 (right to object), despite my clear opposition to the processing and continued efforts to assert this right. This omission demonstrates disregard for data subject protections and a failure to apply the UK GDPR appropriately.
4. Both case officers repeatedly relied on unverified statements from Herefordshire Council while ignoring submitted evidence. This includes accurate and true web logs, internal Council correspondence, and documents proving data suppression and surveillance.
5. No reasons were given for disregarding substantial rebuttals and clarifications submitted during ongoing correspondence. This raises a serious concern of either bias, negligence, or procedural failure.
6. I formally requested that the ICO assist in securing relevant data from Herefordshire Council and Forcepoint (the Council's proxy provider), including log files and SAR materials withheld or denied. I also requested guidance on securing court or Tribunal orders for that data if necessary. These requests were ignored or dismissed, in breach of the ICO's duties under Article 57.
   This in turn enabled Herefordshire Council to conceal and potentially destroy supporting evidence that would have been crucial to any legal redress, including my application to the Investigatory Powers Tribunal.
7. ICO guidance on handling complaints (Regulatory Action Policy, Accountability Framework, and published Enforcement Guidance) clearly states that decisions must be evidence-based, impartial, and consistent with data protection principles. These standards were not met.

Relevant UK GDPR and ICO Duties Breached:

- Article 6 UK GDPR – No lawful basis established for covert monitoring.
- Article 5(1)(a) – Fairness, lawfulness, and transparency not enforced.

- Article 5(1)(c) – Data minimisation breached by disproportionate monitoring.
- Article 15 – Subject Access Request rights obstructed.
- Article 21 – Right to object ignored.
- Article 57(1)(a)(f) – ICO's legal duty to handle complaints diligently, and to cooperate with data subjects.
- ICO Accountability Framework – ICO must act transparently, evidence-based, and consistent with GDPR duties.
- ICO Service Standards – Investigations must be timely, impartial, and focused on enforcing data subject rights.

Key Supporting Evidence:

- 00018.pdf – Internal Council email from Richard Clarke confirming covert monitoring of my personal Twitter account. This includes references to a private family matter and was neither disclosed in response to Subject Access Requests until 2025, nor authorised, constituting new, compelling evidence of personal data processing without authorisation or legal basis, aside from identifying further separate serious matters.
- 6.-Twitter-monitoring_0020.pdf – Internal document logging my Twitter activity for internal review. Provides further evidence of covert, disproportionate surveillance without basis, ignored and disregarded Alison Fletcher and Rachel Webster. Reinforces violations of Article 6, 5(1)(a), 5(1)(c), 15, and 21.
- 00015.pdf / 00016.pdf – Irrefutable date logs of Herefordshire Council IP addresses with access to my personal website. These demonstrate a pattern of surveillance. Helen Worth, in written correspondence on behalf of Herefordshire Council, erroneously claimed to the ICO no authorisation was required as the content was public. However, this directly contradicts Herefordshire Council's own RIPA policies, previously provided to the ICO, which state that repeated monitoring of public social media may qualify as directed surveillance and may require authorisation. Notably as this continued for years and network security restrictions in place were circumvented by Herefordshire Council to collect data.
- Copy of Copy of investigativereports(4) redacted.pdf – Internal logs showing named Herefordshire Council officers visiting my personal website from identifiable Council IP addresses. These visits were not disclosed by Herefordshire Council under SAR, constituting a

breach of Article 15 and clear evidence of covert monitoring. Those named not the only individuals.

- IPT 2024 04 12 Notice of Decision.pdf – Outcome from the Investigatory Powers Tribunal showing Herefordshire Council made submissions based on data I was never granted access to. Which incidentally raises further and serious concern regarding authenticity of Ms Claire Porter's provided log data and signed 'IPT Certificate of Compliance/Disclosure'. The ICO's failure to enforce my SAR rights obstructed both my right to data access and to fair representation before the Tribunal.
- ICO case correspondence: IC-188010-V0J0, IC-219405-L7F6.
- 14-Your-email-to-the-ICO-Case-Reference-IC-188010-V0J0_Redacted.pdf – Contains Alison Fletcher's decision letter dismissing the complaint without addressing key evidence.
- 17-response-ICO-Case-Reference-IC-188010-V0J0_Redacted.pdf – Fletcher's final conclusion redirecting the matter to the IPT, bypassing GDPR investigation.
- 30a-Case-review-and-service-complaint-response-25.4.23_Redacted.pdf – Rachel Webster affirms Fletcher's conduct as appropriate despite clear documentary failings.
- Response-from-Rachel-Webster-27-03-2025-Ref-IC-188010-V0J0_Redacted.pdf – Confirms refusal to reopen the case following submission of new and material evidence.

Requested Action:

I request that this complaint be formally reviewed by a senior manager unaffiliated with the original case team, and that the conduct and failures of both Alison Fletcher and Rachel Webster be reviewed in the context of internal regulatory standards and the ICO's obligations under UK GDPR Article 57.

Sincerely

[redacted]

Mr C. Bury