

22 September 2023

Reference number: IC-255114-L8N6

Request

You asked us: *"Under Freedom of Information Act and between the time period from October 2022 to 30 August 2023, I would like to request the following information:*

- *Percentage of data subject request related complaints reported to the ICO by each company listed below;*
- *Percentage of cookie and/or similar tracking technologies related complaints reported to the ICO by each company listed below;*
- *Percentage of data breaches reported to the ICO by each company listed below;*
- *Most common type of reported data protection incident across the companies listed below (including data breaches and incidents of non-compliance);*
- *Percentage of incidents of non-compliance (excluding data breaches) reported to the ICO by each company listed below and;*
- *Percentage of marketing related data protection complaints by each company listed below.*

Companies:

- 1. Selfridges*
- 2. Fenwick*
- 3. Harvey Nichols*
- 4. Harrods*
- 5. Fortnum and Mason*

I would like you to provide this information to me over email please."

This request was received on 30 August 2023.

On 6 September 2023, the ICO contacted for you clarification about your request. You responded on 18 September 2023 with the following:

"...An incident of non-compliance refers to non-compliance with the GDPR principles, DPA and/or PECR. e.g. excessive collection of personal data is non-compliance with the GDPRs data minimisation principle or sending unsolicited marketing to customers without the necessary consents.

Please see below where I have amended my FOI request for clarification purposes and also included more examples below:

- 1. number of subject access requests and data deletion related complaints reported to the ICO relating to the companies listed below e.g. Fenwick received 3 subject access request related complaints;*
- 2. number of cookie and/or similar tracking technologies related complaints reported to the ICO relating to the companies listed below. e.g. 2 cookie related complaints received in connection with Harvey Nichols use of cookies within the specified period;*
- 3. number of data breaches reported to the ICO relating to the companies listed below. e.g. 0 data breaches were reported to the ICO by Fenwick within the specified period of time;*
- 4. Most common type of reported data protection incident across the companies listed below (including data breaches and incidents of non-compliance) e.g. unauthorised access was the most common type of reported data protection incident by all companies listed below.*
- 5. number of incidents of non-compliance (excluding data breaches) reported to the ICO. e.g. 4 incidents of non-compliance reported to the ICO by John Lewis between the specified period...*

Companies:

- 1. Selfridges*
- 2. Fenwick*
- 3. Harvey Nichols*
- 4. John Lewis*
- 5. Harrods*
- 6. Fortnum and Mason"*

The above numbers have been added by us to make our response easier to follow.

We have considered the information we hold from 1 October 2022 to 30 August 2023.

We received your request on 18 September 2023 as this was the date you responded to our clarification email.

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

Our response

Having searched our records, we can confirm that we hold information in the scope of your request. For our response to requests 1, 2 and 3, please see the below table:

| Data controller | Response to request 1 | Response to request 2 | Response to request 3 |
|-------------------|-----------------------|-----------------------|-----------------------|
| Selfridges | 2 | 0 | 0 |
| Fenwick | 1 | 0 | 1 |
| Harvey Nichols | 0 | 0 | 2 |
| John Lewis | 7 | 2 | 7 |
| Harrods | 0 | 0 | 0 |
| Fortnum and Mason | 0 | 0 | 1 |

Please note, some organisations have more than one [registration](#) with the ICO. Where this is the case, we have considered this to be one data controller and the figures above represent all cases we hold.

If you wish to see more about the data protection complaints and personal data breaches we have received, these can be viewed in our [datasets](#).

In relation to request 2, we would like to advise that the complaint form on our website contains a field that asks for the name of the website the complainant was visiting, rather than the organisation being complained about. This form is free text. Our search was on this field to see if it contains any of the names of the organisations you listed.

Please note, in relation to requests 4 and 5, organisations are not required to self-report incidents of the type you have described or incidents of non-compliance to the ICO. We will hold some information in the scope of your request and this will be when individuals have made complaints about these types of incidents to us; these can be viewed on our datasets.

The number of data breach notification we have received are listed above.

This concludes our response to your request.

Next steps

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full review procedure [here](#).

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint through our website](#).

Your information

Our [Privacy notice](#) explains what we do with the personal data you provide to us, and set out your rights. Our retention schedule can be found [here](#).

Yours sincerely



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