

21 March 2024

## **Case Reference IC-293151-S2K5**

### **Request**

You asked us to provide you with any information regarding complaints made against Headless Cross Dental Practice.

We received your request on 11 March 2024.

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

### **Our response**

There is one data protection complaint case logged against Headless Cross Dental Practice.

The complaint relates to "Article 5(1)(a) – Lawfulness, fairness and transparency" of the UK General Data Protection Regulation.

We cannot disclose any further details. Please see below for the explanation.

Please also note that our complaints datasets are routinely published on our website here: [Data protection complaints - data sets | ICO](#)

## **FOIA Section 44 and DPA section 132**

The details about the nature of the complaint have been withheld under section 44 of the FOIA.

Section 44(1)(a) states:

*"(1) Information is exempt information if its disclosure (otherwise than under this Act) by the public authority holding it -*

*(a) is prohibited by or under any enactment"*

The enactment in question is the Data Protection Act 2018. Section 132(1) of part 5 of that Act states that:

*"A person who is or has been the Commissioner, or a member of the Commissioner's staff or an agent of the Commissioner, must not disclose information which—*

*(a) has been obtained by, or provided to, the Commissioner in the course of, or for the purposes of, the discharging of the Commissioner's functions,*

*(b) relates to an identified or identifiable individual or business, and*

*(c) is not available to the public from other sources at the time of the disclosure and has not previously been available to the public from other sources,*

*unless the disclosure is made with lawful authority."*

Section 132(2) lists circumstances in which a disclosure can be made with lawful authority, however none of them apply here. As a result, the information is exempt from disclosure.

## 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](#) on our website.

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 sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely



Information Access Team  
Strategic Planning and Transformation  
Information Commissioner's Office, Wycliffe House, Water  
Lane, Wilmslow, Cheshire SK9 5AF  
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