

23 August 2022

Reference number: IC-182456-F5K3

## **Request**

You asked us: *"I understand that in December 2020, HMRC informed the ICO of a significant compromise of personal data it holds, some of which involved customers' self assessment accounts. Please can you provide me with all disclosable information you hold on this breach including correspondence between HMRC and the ICO, as well as any advice the ICO may have issued to HMRC and what HMRC's remedial actions were."*

We received your request on 25 July 2022.

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

## **Our response**

Please find attached the information in the scope of your request.

Some information has 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.

Other information, third party personal data, has been redacted in our response. It is exempt under Section 40 of the FOIA.

### **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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[ico.org.uk](http://ico.org.uk) [twitter.com/iconews](https://twitter.com/iconews)

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data see our [privacy notice](#)**