

1 August 2023

IC-242167-C7P1

Request

You asked us:

"Please would you provide details of any Data Breaches since 1 July 2020 reported to you by the Church of England. The request is specifically limited to the following organisations:

*Church Commissioners for England (Z5535450),
Church of England Central Services (ZA227264),
The Corporation of Church House (Z6490128),
Church Of England Central Services Trading Limited (ZA617241),
Church Of England Educational Services Limited (ZA617259),
the Archbishops' Council, (Z6034304),
the Archbishop of Canterbury (Z9743237),
the Archbishop of York (Z4888418),
the Church of England Pensions Board (Z5924077),
C C Licensing (ZA616888 and ZA617086),
C C Trading Ltd (ZA617110),
Banbury Business Park (Management) Limited (ZA616840),
CEPB Mortgages Ltd (Z9257836) and
Quivercourt (ZA617204)"*

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

Our response

We can confirm that we hold some information in scope of your request.

The ICO holds information regarding two self-reported personal data breach reports. The details are outlined below:

Organisation	Date report received	Outcome	Nature of breach
Archbishops Council National Church Institution	13/11/2020	No further action	Cyber incident
Archbishops Council National Church Institution	25/02/2021	No further action	Not personal data breach

FOIA section 30

We neither confirm nor deny that we hold further information in scope of your request. Section 30(1) states that:

"Information held by a public authority is exempt information if it has at any time been held by the authority for the purposes of-

(a) any investigation which the public authority has a duty to conduct with a view to it being ascertained-

(i) whether a person should be charged with an offence, or

(ii) whether a person charged with an offence is guilty of it,

(b) any investigation which is conducted by the authority and in the circumstances may lead to a decision by the authority to institute criminal proceedings which the authority has power to conduct, or

(c) any criminal proceedings which the authority has power to conduct."

While you have not specifically requested information regarding the criteria set out above, it is important to note that, on occasion, self-reported personal data breaches can be referred to our criminal investigations teams for consideration under the above criteria.

Section 30(3) confirms that we are not required to confirm or deny that we hold information if it would be exempt from disclosure under any of the criteria set out above. Regardless of whether we hold any information that was considered by our criminal investigations team, we must consider whether or not we should either confirm or deny that we hold this information.

However, we must carry out a public interest test to weigh whether the public

interest favours confirmation or denial.

In this case the public interest factors in favour are:

- There is a general public interest in transparency regarding the ICO's functions.
- There is a general public interest in transparency regarding the practices of notable institutions. While the various organisations listed in your request are not public bodies for the purposes of FOIA, as an established church, the Church of England has a formal relationship to the state.

The factors against are:

- Either confirming or denying that the ICO holds information in scope of the above criteria would affect the integrity of other responses where the ICO have previously neither confirmed nor denied that we hold information exempt under section 30 of the FOIA.
- If the ICO were to reveal the details of an investigation, this could prejudice the ICO's ability to conduct future investigations, as this may affect the willingness of relevant parties in the future to co-operate with the regulator.
- Disclosure might also risk highlighting intelligence and evidence that may be pertinent to the success of future investigations.
- The public interest is served by our commitment to publish noteworthy criminal investigations in due course as published in our ["Communicating our Regulatory and Enforcement Activity Policy"](#).

Having considered these factors, we are satisfied that we can rely on section 30 to neither confirm nor deny whether we hold further information within scope of your request.

This concludes our response to your request.

Further advice and assistance

It may be of interest to you that the ICO proactively publishes information regarding self-reported personal data breaches in the [complaints and concerns data sets on our website](#).

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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