

2 August 2023

Case Reference: IC-248560-W6N2

## **Request for Information**

Further to our acknowledgement of 1 August we can now provide a response to your information request of 27 July.

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

## **Request**

In your email your email you asked:

*"I would also like to enquirer how many other claims [REDACTED] has made against previous employers with similar claims"*

## **Our Response**

FOIA section 40(5B) NCND

In response to your request we neither confirm nor deny whether we hold information falling within the description specified in your request. The duty at section 1(1)(a) of the Freedom of Information Act 2000 (FOIA) does not apply by virtue of the exemption found in Section 40 of the FOIA concerned with personal information, specifically Section 40(5B)(a)(i).

This part of the FOIA provides that the duty to confirm or deny does not arise if providing the confirmation or denial would contravene any of the data protection principles.

In this instance we consider that to confirm or deny whether we hold any information pertaining to your request would be in breach of the first data protection principle. This can be found at Article 5(1)(a) of the UK GDPR and states that personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject.

This should not be taken as an indication that the information you requested is or is not held by the ICO.

### **Next steps**

If you are dissatisfied with our response under the FOIA or wish to complain about how your request has been handled please write to the Information Access Team at the address below or email [accessicoinformation@ico.org.uk](mailto:accessicoinformation@ico.org.uk)

A request for internal review should be submitted to us within 40 working days of receipt by you of this response. Any such request received after this time will only be considered at the discretion of the Commissioner.

If having exhausted the review process you are not content that your request or review has been dealt with correctly, you have a further right of appeal to this office in our capacity as the statutory complaint handler under the legislation.

To make such an application, please write to our FOI Complaints & Appeals Department at the address below or visit our website at

<https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

### **Your information**

Please note that our privacy notice explains what we do with the personal data you provide to us and what your rights are:

<https://ico.org.uk/global/privacy-notice/>

This includes entries regarding the specific purpose and legal basis for the ICO processing information that people have provided us with, such as an information requester:

<https://ico.org.uk/global/privacy-notice/make-an-information-request/>

The length of time we keep information is laid out in our retention schedule, which can be found at:

<https://ico.org.uk/media/about-the-ico/policies-and-procedures/4024937/retention-and-disposal-policy.pdf>

Yours sincerely

Information Access Team Manager

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