

27 June 2023

**Ref: IC-239826-F9Q2**

## Request

*I have not been provided with any evidence which would suggest that Tameside College or the Data Protection Officer Mr Nils Elgar, sought the advice of the ICO*

*[REDACTED]*  
*If advice was sought from your office regarding this matter, I request that you provide me with this information in line with your obligations under the Data Protection Act.*

Your request has been handled under the Freedom of Information Act 2000 (the FOIA). As you are probably aware, this legislation provides public access to recorded information held by a public authority unless an appropriate exemption applies.

## Our response

We do not hold the information you have requested.

We have searched our case management systems and records based on the information you provided. Our searches focused on our records of written enquiries submitted to the ICO and enquires made to us via our Livechat online service.

Having searched our systems, we do not hold information relating to any contact with the ICO either via email, letter or our Livechat services by Tameside College or their data protection officer Mr Nils Elgar, concerning the matters you describe.

It is worth noting that if an organisation approaches the ICO for advice, often this will take place over the telephone via our Helpline service. These calls are anonymous and as we do not record telephone calls made to the ICO, we do not hold records of them.

It is therefore possible that advice was sought via our Helpline, but as explained above, we would not hold a record of this.

Please note that we do not retain information indefinitely. We store Livechat transcripts on a dedicated computer system and these are retained for a period of 100 days from the date of creation. Our retention period for case records is two years after case closure. It is therefore possible that Tameside College or Mr Nils Elgar did contact the ICO for advice, but we no longer hold such records or if it was our Helpline service, we have not recorded this.

Further details of our retention policy can be found by following this link [Retention and Disposal Policy \(ico.org.uk\)](#)

This concludes our response to your information request.

In the event you are unhappy with this response, I have outlined the next steps that you can take below.

### **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 [icoaccessinformation@ico.org.uk](mailto:icoaccessinformation@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 if you wish to make a complaint under the Freedom of Information Act.

A copy of our review procedure can be accessed from our website [here](#).

### **Your rights**

Our [privacy notice](#) explains what we do with the personal data you provide to us and what your rights are, with a specific entry, for example, for [an information requester](#). Details of our retention policy can be found [here](#).

Yours sincerely



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