

28 September 2023

ICO case reference – IC-251544-Q7T2

We are now in position to respond to your information request of 12 September to the Information Commissioner's Office.

Your Request

In your email of 12 September 2023 you asked the ICO *"Under case reference IC-251424-D4C1, I would like to see the form City Evangelical Church Leeds filled in to report a personal data breach on 19th May 2023 and the response given to them by the ICO in June 2023"*.

We received your request on 12 September 2023.

We have handled your request under the provisions of the Freedom of Information Act 2000 (the FOIA). This legislation entitles a requester to recorded information held by a public authority, unless an appropriate exemption applies.

Our response

We can confirm that City Evangelical Church Leeds notified the ICO of a personal data breach report which was considered under case reference IC-251424-D4C1. Therefore we do hold information within scope of your request.

Please note that when a data breach report is notified to the ICO, data controllers are specifically asked not to include any personal data of individuals affected by the breach.

Please find attached copies of the information requested to which you are entitled. Some information has been redacted because it is third party data. Further explanation of this is provided below.

FOIA section 40(2)

Section 40(2) of the FOIA exempts information if it is personal data about individual other than the requester and it satisfies one of the conditions listed in the legislation.

We find that the condition at section 40(3A)(a) applies in this instance: that disclosure would breach one of the data protection principles. The principles are outlined in the General Data Protection Regulation (GDPR) with the relevant principle on this occasion being the first principle as provided by Article 5(1): that personal data shall be processed lawfully, fairly and in a transparent manner.

We do not consider that disclosing this information into the public domain is necessary or justified. There is no strong legitimate interest that would override the prejudice to the rights and freedoms of the relevant data subjects. We have therefore taken the decision that disclosing this information would be unlawful, triggering the exemption at section 40(2) of the FOIA. So we are withholding third party information under section 40(2) of the FOIA.

This concludes our response to your request.

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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