

27 September 2023

**Case reference IC-255083-R8X0**

**Request**

You asked us:

*I am writing to request information for each of the following individual data controllers:*

- *Better Help*
- *Health Assured*
- *The priory*
- *Care First (part of the priory)*
- *Bupa*
- *Axa*
- *Optimum Health*
- *OH Assist (part of Optimum Health)*
- *TELUS Health*
- *CIC*
- *Spectrum Life*

*A) For the individual calendar years 2018, 2019, 2020,2021 and 2022 and 2023 to date please provide the following:*

*i) Number of complaints the ICO has received about the data controller.  
We received your request on [date of receipt]*

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

## **Our response**

We confirm we hold information in scope of your request.

Please find the attached CSV file. This data covers:

- 2018
- 2019
- 2020
- 2023 (from April up to and including August)

For reference, we have gathered some data from our archived website for the purpose of this FOI request. That site can be accessed here:

[https://webarchive.nationalarchives.gov.uk/ukgwa/\\*/http://www.ico.org.uk](https://webarchive.nationalarchives.gov.uk/ukgwa/*/http://www.ico.org.uk)

Please note that we have retention periods for our data which can be a limiting factor for what information we hold. However, we have extracted the data we hold on the archived site and searched our current case management system for any data from any remaining time periods. Our information should be as complete as possible.

## **Notes**

We have assumed that you intended to ask for data on "Optima Health," rather than "Optimum Health." We have no account for the latter name, and as such, we have no complaints against them. We have included figures for Optima Health instead.

For the BUPA, AXA and Priory Group complaints, we have complaint cases logged against various names and subsidiaries which fall under them larger groups. There is not just one account for each entity, there are multiple accounts on our system which are offshoots of the same wider entity, so we have included figures for all connected companies (eg for AXA, we have complaint cases against AXA Global Healthcare Ltd and AXA PPP Healthcare which we have included).

We have included an Excel file which contains the subsidiary companies which allow you to see how them totals were worked out.

Please click on the 'plus' symbols on the left hand side of that Excel sheet to open the relevant drop-down menus to find them details.

## Section 21 FOIA

The remaining data is reasonably accessible by other means. Data protection complaints for the following time periods are held on our website:

- 2021
- 2022
- 2023 (from January up to and including March)

You can access the complaints datasets here:

<https://ico.org.uk/about-the-ico/our-information/complaints-and-concerns-datasets/data-protection-complaints/>

You can use the "Filter" tool to search for the relevant companies' complaint cases.

If you open the spreadsheets, you can go to the "Data" heading at the top row. You can then select "Filter," and you can then go to the drop-down menu for the "Submitted About Account" column to search for the company you want.

Because the information is already reasonably accessible to you, technically it is withheld under section 21 of the FOIA.

Section 21 states that we don't need to provide you with a copy of information when you already have access to it.

### 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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