

20 February 2024

ICO Case Reference IC-287824-F7G9

Request for information

Request received 5 February 2024:

"I am wondering if you are the 'data protection watchdog' referred to in the Guardians report on the data breach by the Home Office, regarding the lost immigration documents.

If you are, please can you kindly confirm what the conclusion of the investigation was?"

It was clarified in your email of 8 February 2024 that your request refers to <https://amp.theguardian.com/uk-news/2018/may/31/vital-immigration-papers-lost-by-uk-home-office>, published on 31 May 2018. We assume that the ICO is the watchdog to which the article refers, as it states: *"The Home Office is now facing questions from the UK's data watchdog, the Information Commissioner's Office, in the light of the Guardian's reporting."*

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

Our response

We hold information in scope of your request. We have searched our case management systems and found reference to a case file that was opened by the ICO as a result of the article. We no longer hold the case file, but can advise that the case was closed with no formal regulatory action being taken.

Further information

Please be aware that due to the ICO [Retention and Disposal Policy](#), we do not hold information indefinitely. It may also be of interest to note that as the

article is from May 2018, the specific incidents mentioned would likely have occurred before the General Data Protection Regulations (GDPR) came into force. Pre-GDPR, there was no formal obligation on organisations to report data breaches of this type to the ICO.

We publish details of [Action we've taken](#) on our website, including [Audits and overview reports](#) and [Enforcement action](#) that we have carried out.

This concludes our response to your request.

Next steps

You can ask us to review our response. Please let us know in writing within 40 working days if you want us to carry out a review. You can read a copy of our full [review procedure](#) on our website.

If we perform a review but you are still dissatisfied, you can [raise a complaint](#) 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.

Your information

Our [privacy notice](#) explains what we do with the personal data you provide to us, and sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely

Information Access Team
Strategic Planning and Transformation

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
T. 0303 123 1113 ico.org.uk twitter.com/iconews
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