

16 April 2024

IC-293768-H3Y0

Request

"This FOI relates to the following Data Protection complaints against the Labour Party:

- 1. IC-100841-Q2N9*
- 2. IC-54467-F1Y1*
- 3. IC-237027-X3Y3*
- 4. IC-205511-V4V0*

For each of these complaints, please provide:

- A) Copies of all letters and emails sent by the ICO to the Labour Party.*
- B) Copies of all letters and emails sent by the Labour Party to the ICO.*
- C) A copy of the original complaint*

I appreciate that some of the text within these documents will need to be redacted to protect personal information. But I would be grateful if these bits could be blacked out so that the remainder of the documents can still be disclosed."

We received your request on 13 March 2024.

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

Our response

We hold information in scope of your request.

However, we consider data protection complaints to be the personal data of the complainant.

Even if we were to redact identifying information from the requested documents, we would still be disclosing information about an individuals' personal data complaint.

When an individual makes a complaint to us about the way their personal data has been handled by an organisation they have no reasonable expectation that documents pertaining to the matter would be disclosed to the wider public. This is not outlined in the [privacy information](#) we provide to individuals when making a complaint to us.

Indeed, it is likely that partial disclosure of documents contained within cases would deter individuals from contacting us in the future, over concerns that we would not handle their sensitive information with the necessary level of confidentiality.

As such, we are withholding the requested information in full under section 40(2) of the FOIA. This exempts information if it is personal data belonging to an 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.

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](#) on our website.

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 sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely



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ico.org.uk twitter.com/iconews
Please consider the environment before printing this email
**For information about what we do with personal data
see our [privacy notice](#)**