

23 July 2024

IC-317199-Y4T2

Request

In summary, you asked us:

"ICO Freedom of Information request

- 1. Please provide in each year 2020 to 2024 how many complaints have been made to the ICO related to Sussex Police failure to comply with S45 and/or S47 of the Data Protection Act 2018 (and under GDPR Articles 12 - 22).*
- 2. Please provide a link (or copy) of the Audit made about Sussex Police as identified in Sussex Police Follow up [audit](#) (linked) dated 17 May 2024 as shown on the ICO website."*

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

Our response

We have searched our records based on the information you provided and can confirm that we hold some information within the scope of your request.

For clarity, we will respond to each of your questions in turn.

- 1. Please provide in each year 2020 to 2024 how many complaints have been made to the ICO related to Sussex Police failure to comply with S45 and/or S47 of the Data Protection Act 2018 (and under GDPR Articles 12 - 22).***

It may be helpful to explain that records held by the ICO are regularly disposed of in line with our [Retention and Disposal Policy](#). Complaint information is held for 2 years in most cases, or up to 6 years in extraordinary cases. This means that we do not hold complete information about complaints received about Sussex Police dating back to 2020. However, we have provided information about all of the data protection complaints about Sussex Police that we do hold.

In your request you asked for complaints referring to specific aspects of the UK GDPR and Data Protection Act 2018. Our case work system records the legislative reason for a complaint in a slightly different format than you have asked for, and so we have provided the complaint information as it is held.

Please find below a chart showing the legislative reason for complaints submitted to the ICO about Sussex Police under UK GDPR and the DPA 2018, divided by year.

Legislative reason	2021	2022	2023	2024	Grand Total
Prt 3 - S45(3)(b) - Within one month		3	46	15	64
Prt 3 - S45(1)(b) - Access to PD		15	18	3	36
Unassigned		1		29	30
Prt 3 - Ch3 - S45 - Right of Access		2	12	6	20
Art 15 - Right of access	2	5	6		13
Art 15(3)(1) - Provide a copy of the personal data		4	1		5
Prt 3 - Ch 2 - S35 - Fair and lawful processing principle		1	3		4
Prt 3 - Ch3 - S47 - Right to erasure or restriction			3	1	4
Art 5(1)(a) - Lawfulness, fairness and transparency principle	1	1	1		3
Art 5 - Principles relating to processing of personal data			2		2
Prt 3 - Ch3 - S46 - Right to Rectification			2		2
Prt 3 - S45(3) - Provided in writing		1		1	2
Art 5(1)(f) - Integrity and confidentiality principle		1	1		2
Prt 4 - S94(1)(b)(i) - Copy of PD		1	1		2
Prt 3 - S38(1)(a) - Accurate & kept up to date			1		1
Art 17 - Right to erasure		1			1
Prt 4 - S86(1)(a) - Processing must be lawful		1			1
Art 18 - Right to restriction		1			1
Art 15(3)(3) - Provide information in electronic form				1	1
Prt 3 - S47(4) - DS can request erasure or restriction				1	1
Art 16 - Right to rectification			1		1
Art 17(1) - Right to erasure	1				1
Prt 3 - Ch 2 - S40 - Security Principle			1		1
Prt 3 - Ch 2 - S38 - Accuracy principle			1		1
Prt 3 - Ch 2 - S39 - Storage limitation principle			1		1
Grand Total	4	38	101	57	200

2. Please provide a link (or copy) of the Audit made about Sussex Police as identified in Sussex Police Follow up [audit](#) (linked) dated 17 May 2024 as shown on the ICO website.

The audit of Sussex police was [published on our website](#) on 24 October 2023.

Because this material is already reasonably accessible to you, it is technically withheld under section 21 of the FOIA. This exempts information which is reasonably accessible to the applicant through means other than a request under the FOIA.

It is an absolute exemption, which means it is not necessary for us to consider any public interest test.

This concludes our response to your request. We hope this information is useful to you.

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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