

16 September 2024

IC-330430-C8F1

Request

You asked us:

"how many Credit File Errors have been reported since the beginning of 2019.?"

We received your request on 9 September.

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

Our response

I can confirm we hold information falling within the scope of your request, however have to confirm that locating the full extent of the information requested would breach the cost limit envisaged by section 12 of the FOIA.

I have provided some more detail about why this is the case in this instance below, along with some advice about how a refreshed request, with a more narrow scope, may elicit information which is of interest to you.

FOIA section 12

Section 12 of the FOIA makes clear that a public authority is not obliged to comply with an FOIA request if the authority estimates that the cost of complying with the request would exceed the 'appropriate limit'.

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 stipulates that the 'appropriate limit' for the ICO is £450. We have determined that £450 would equate to 18 hours work.

Under data protection legislation, individuals have the right to lodge a complaint with the ICO as the relevant supervisory authority in the UK. The details of these complaints, along with the details of thousands of other enquiries and concerns regarding the other laws we oversee, are processed within a casework management system.

An electronic record is created for every case, every complainant and every 'complained about' organisation. This is because part of our role is to improve the information rights practices of organisations by gathering and dealing with concerns raised by members of the public.

The system allows us to search for the cases we have dealt with in a number of different ways, such as by the unique reference number the case was given, and the name of the body that has been complained about. We can also search for cases on the basis of the broad nature of the complaint, such as that it relates to subject access.

However, it is not possible to search for complaints specifically about credit file errors because we do not have a specific subject matter category for credit file errors, and this type of complaint could be held under multiple broader categories such as 'Art 5- Principles relating to processing of personal data' or 'Art 5(1)(d) - Accuracy principle'.

These categories alone generate thousands of complaints each year, and the only way to determine whether a credit file error was involved would be to check each case file manually.

Additionally, it is likely that relevant complaints are also held under other subject matter categories, which do not appear to correlate to that type of complaint. This is because complaints often include multiple concerns, and we can only assign one category of subject matter to each complaint.

Given that the ICO handles over 40,000 data protection complaints each year, even if it would only take 3 minutes to check each case file – and it is certain that some searches would take much longer than that – this would amount to hundreds of hours' worth of searching. This is far in excess of the 18 hours which would accrue a charge of £450 or less, triggering the provisions of section 12 of the FOIA.

Advice and assistance

If you are interested in complaints against a specific Data Controller or a number of Data Controllers about credit file errors, you could make a new request providing their names. We can search our system for complaints by the name of the Data Controller complained about, and we would be likely to be able to then search those cases for complaints about credit file errors without breaching the costs limit in s.12. This is on the proviso that the number of complaints against the Data Controller or Data Controllers is not so large that manual searches of the case files would not exceed the costs limit.

I should also advise that we could not guarantee the accuracy of the results provided following a manual search.

You can find basic details of the data protection complaints the ICO has handled in datasets available on our website [here](#).

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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Strategic Planning and Transformation

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