

22 October 2024

IC-337642-L2V9

Request

You asked us for copies of any documentation which explains why the ICO cannot investigate a data protection complaint brought to it on behalf of a deceased person.

We received your request on 10 October.

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

Our response

We hold some information within the scope of your request.

I have provided an excerpt from guidance available on the ICO website below:

Is information about deceased individuals personal data?

The UK GDPR only applies to information which relates to an identifiable living individual. Information relating to a deceased person does not constitute personal data and therefore is not subject to the UK GDPR.

This refers to the following provision of the UK GDPR:

Recital 27

This Regulation does not apply to the personal data of deceased persons.

The ICO can only investigate data protection complaints that are about the processing of personal data. As information relating to a deceased person is not classed as personal data, such a complaint does not fall within the ICO's remit.

This information is publicly available, however due to your personal circumstances we have determined that it is not reasonably accessible to you and so we have provided it here rather than apply the exemption at s.21 FOIA.

This concludes our response.

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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