

3 October 2024

## **IC-333241-F2Q8**

### **Request**

You asked us:

*"My experience of the above body (abbreviated to RUH) is that they fail to comply with The General Data Protection Regulations 2018. I shall be grateful if you will advise me of the number of complaints you have received about this body's failure to comply with GDPR. This information is sought for each of the past 5 years to 31 March 2024.*

*At the same time, please state the numbers of complaints made to you about this body otherwise. Again, this is for each of the past 5 years to 31 March 2024.*

*Has the ICO taken any enforcement action against the RUH for failures relating to GDPR, OR compliance with the FOIA? Once more, this information is for each of the past 5 years to 31 March 2024."*

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

### **Our response**

I can confirm that we hold this some of this information and I can confirm that we also publish this information our website. Whilst we do not have 5 years of data on our website, I can confirm that due to our retention schedule we no longer hold this information on our casework management system. I have provided further information about this response below.

### **Section 21 FOIA**

You can access the information you have requested here:

[Complaints and concerns data sets | ICO](#) and [Action we've taken | ICO](#).

Because the information is already reasonably accessible to you, technically it is withheld under section 21 of the FOIA.

Section 21 states that we don't need to provide you with a copy of information when you already have access to it.

## **Section 22 FOIA**

We also intend to publish the information you have requested as part of our ongoing commitment to publish our datasets and action that the ICO has taken.

This means that it is exempt from disclosure under section 22 of the FOIA.

This is not an absolute exemption, which means we must consider the public interest in withholding the information.

The factors in favour of disclosing the information are:

The public interest in the ICO being transparent about the work it has done and the complaints that it has received.

The factors in favour of withholding the exemption are:

The public interest in avoiding duplication of work. The ICO spends time producing datasets to make our information available on our website in order to answer questions that the general public may have about our work. To produce this information again for this FOIA request would be an unnecessary use of the ICO's resources.

Having considered these factors, we are satisfied that it is appropriate to withhold the information.

This concludes this 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 [here](#).

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA and EIR. 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

Senior Information Access Officer



Information Access Team  
Risk and Governance Department, Corporate Strategy and  
Planning Service  
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