

ICO response to LDC complaint about HIW

15 April 2019

Case reference: RFA0807442

Dear Mr Pratley

Firstly, apologies for the delay in responding to you. Our office is currently dealing with large volumes of work. This has meant we have been unable to deal with incoming correspondence as promptly as we would like.

We have received your complaint of 12 December 2018, in relation to your concerns that Healthcare Inspectorate Wales have failed to comply with their data protection obligations.

The ICO's role

Part of our role is to consider complaints from individuals who believe there has been an infringement of their data protection rights. Our role is to consider whether there is an opportunity to improve the information rights practices of organisations. We may not investigate or adjudicate on every individual complaint.

We will put most of our effort into dealing with matters we think give us the best opportunity to make a significant difference to an organisation's information rights practices.

Our View

In my view, this case appears to relate to third party data, rather than your own personal data. I have provided a link from the Information Commissioner's Office (ICO) website which gives information in regards to personal data.

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/key-definitions/what-is-personal-data/>

Colleagues who believe their data protection rights have been breached, will need to make a complaint individually along with evidence. We are an evidence based organisation and in order for us to consider a concern of this nature, we would require strong evidence to support your allegations, such as a letter from the organisation acknowledging the infringement of each individual.

Next steps

We will write to the organisation and raise the issues you have mentioned in your complaint. If we believe there is opportunity to improve its information rights practices, we will work with the organisation to ensure relevant plans are in place to comply with their data protection obligations.

As this complaint does not involve your own personal data, we will not be able to provide you with a response from the organisation, however we would like to thank you for bringing this

matter to our attention.

The complaint will be kept on file as we keep a record of all the complaints raised with us about the way organisations process personal information. The information we gather from complaints may form the basis for action in the future where appropriate.

Yours sincerely

Christina Williams
Case Officer
Information Commissioner's Office
Direct Dial: 0330 313 1664

For information about what we do with personal data see our privacy notice at www.ico.org.uk/privacy-notice