

Atonu Pal
Via email: atonu1956@yahoo.co.uk

22 March 2023

Case Reference Number IC-214909-X7Y3

Dear Mr Pal,

Thank you for the data protection complaint you have raised with the Information Commissioner's Office ('ICO') about the Metropolitan Police Service ('MPS') and how it has handled an information rights request you have made.

The ICO's role

Part of our role is to consider complaints from individuals who believe their data protection rights have been infringed.

We deal with complaints like this under Section 165 of the Data Protection Act 2018 which requires us to take steps to respond to complaints including investigating to the extent that we feel is appropriate. It also requires us to inform the complainant of the outcome of their complaint.

We use complaints to build up a picture of an organisation's information rights practices so that we can identify and target poor performing organisations.

Details of the action we have taken are available on our website.

Complaint raised with us

You have expressed concern to the ICO that the MPS has previously held inaccurate personal data concerning yourself and your wife and continues to do so under CRIS: 4922314/16.

Our View

We are of the view that the Metropolitan Police Service **has not complied** with its obligations under data protection law in this instance.

This is because we are of the view that the organisation has processed inaccurate personal information and has therefore infringed upon the accuracy principle contained in Part 3, Chapter 2, Section 38 of the Data Protection Act 2018.

In relation to CRIS: 4922314/16, as outlined in our initial outcome letter, we are satisfied with the response provided by the MPS. It has been explained that the information has not been recorded as fact in this instance but instead has been recorded appropriately as 'opinions' and 'suggestions.'

While you may disagree with an opinion or believe it to be wrong, this does not take away from the fact that the opinion has been made and therefore the recording of the data as an opinion would likely be considered accurate.

As outlined on our website:

'It is also complex if the data in question records an opinion. Opinions are, by their very nature, subjective, and it can be difficult to conclude that the record of an opinion is inaccurate. As long as the record shows clearly that the information is an opinion and, where appropriate, whose opinion it is, it may be difficult to say that it is inaccurate and needs to be rectified.'

We will contact the MPS directly in order to inform them of our decision and will provide them with advice and guidance regarding their obligation under data protection law to ensure that the personal data they processes is accurate and up-to-date.

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.

Please be advised that you have the right to take your own action on any data protection matters through the courts regardless of any decisions that the ICO may make. This is not a process with which we are able to assist, and we would

recommend that you seek independent legal advice if this is something you would like to pursue.

Feedback about our service

Thank you for bringing this matter to our attention. Should you wish to discuss this case any further, or require any clarification, please do not hesitate to contact me.

To correspond with me via email, you can forward any messages to our icocasework@ico.org.uk email address, making sure to include the above case reference in the subject line.

Yours sincerely,

William Salt
Case Officer
Information Commissioner's Office
0330 313 1679

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