

Mr Adrian Smiles
Apex Business Village, Unit 11-14
Annitsford, Cramlington
Northumberland
NE23 7BF



10 November 2017

Case Reference Number RFA0690798

Dear Mr Smiles

I write further to my correspondence of 14 September 2017 in which the ICO acknowledged the data protection concern you raised with us about Northumbria Police on behalf of The Northumbria Police Federation.

After thorough discussion of this case with senior members of staff, I am now in a position to provide you with our final assessment on the matter.

Our role

As you are aware, our role is to ensure that organisations follow the Data Protection Act (DPA) properly. If things go wrong we will provide advice and ask the organisation to try to put things right. Our overall aim is to improve the way organisations handle personal information.

Your concern

To reiterate, the concern you have raised with the ICO states that Northumbria Police are currently requiring excessive amounts of personal data from former officers as part of their Injury on Duty Award (IODA) review process.

Specifically, this data comprises of full access to:

- All medical records from birth (including specialist reports)
- Financial details
- Information concerning any legal advice sought by the officer



You have stated that such demands for personal information are disproportionate and unnecessary for the purposes of collecting the data.

You would therefore like the ICO to consider the above concern and assess whether such requirements for information are compliant with the DPA.

Our decision

From the information provided to us, it appears likely that Northumbria Police are in breach of the DPA. The reasons for this decision are explained below.

It has been explained to the ICO that Selected Medical Practitioners (SMP) conduct IODA reviews on behalf of Northumbria Police in order to ascertain whether the degree of disablement of an individual (due to original officer injury) has improved, become worse or has been overtaken by other injuries or illnesses.

You have stated that SMPs currently require full access to the abovementioned list of data relating to former officers that typically dates from birth to the present time. However, you believe that an SMP should only be assessing whether there has been any substantial alteration in former officer's conditions *since their last review*.

Therefore, you state that such a blanket request for full access to historical records dating from birth appears to be disproportionate and excessive given the purpose of the SMPs review. You have also raised the concern regarding the presence of third party data within these historical records as being unnecessarily accessible to SMPs as this should have no relevance to an individual's IODA review.

In light of the above, the ICO considers that the current requirement by Northumbria Police for all historical data held about former officers as part of IODA reviews appears to be excessive and in breach of the DPA.

Next steps

We will now inform Northumbria Police of our assessment and provide them with advice on how to improve their information rights practice as relates to this particular concern.

Specifically, we will be highlighting the potentially excessive nature of their requests for information as part of the IODA assessment process and their need to review this procedure to ensure that this is compliant with the DPA.



We also note your comments regarding Northumbria Police Federation's receipt of multiple complaints surrounding this particular concern. Therefore, we would encourage you to advise any individuals who are currently concerned about the use of their data by the Police in this way to report this directly to the ICO. This will enable us to form a wider picture of the extent of this complaint.

Please note that we will keep the concerns raised on file. This will help us over time to build up a picture of Northumbria Police's information rights practices.

Thank you for bringing this matter to our attention.

If you are dissatisfied with the service you have received, or would like to provide us with feedback of any kind, please let me know.

Yours sincerely



Victoria Theaker
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