



Child Maintenance
and Enforcement
Commission

Office of the Commissioner
PO Box 61791
London
SW1P 9NT

E foi.focalpoint@childmaintenance.gsi.gov.uk
W www.childmaintenance.org

Lee Davies

[request-28242-
xxxxxxxx@xxxxxxxxxxxxxxxxxxx.xxx](#)

Ref: VTR 334

Date: 5 February 2010

Dear Mr Davies,

Thank you for your request for information dated 1 February 2010. Your request has been considered under the terms of the Freedom of Information Act 2000 (FOIA). Please find below a copy of your request together with a corresponding response.

Request

Please send me the information to which I am entitled to under section 7(1) of the Data Protection Act 1998 to my home address you have on your database.

I request ALL computer and clerical records(INCLUDING all telephone voice recordings of calls)to which I am entitled, and would ask that the notepad sections of the computer files be dated.

If you need further information from me, or a fee, please let me know as soon as possible.

If you do not normally handle these requests for your organisation, please pass this letter to your Data Protection Officer or another appropriate official.

Response

The Child Maintenance and Enforcement Commission (the Commission) took over responsibility for the Child Support Agency (CSA) on 1 November 2008.

While we appreciate that you issued your request to the Freedom of Information Act Focal Point, the information you requested is being withheld under section 40 of the FOIA as it would contain personal information relating to you and third parties. To release this information under the Act would be in breach of the Data Protection principles.

Section 40(1) of the FOIA provides that requests for one's own data are exempt. This is an absolute exemption, which means that we have no discretion over whether the information can be released.

Section 40(2) of the FOIA prevents us from disclosing personal data of third parties if one of the conditions set out in section 40(3) of the Act is satisfied. In this case disclosure of information relating to the other party to the child maintenance case would breach the fair processing principle of the Data Protection Act 1998. Therefore, this information is being withheld.

However, you are entitled to receive the requested information under the Data Protection Act. Unfortunately, we were unable to forward your request to our Data Protection Unit as you have not provided sufficient information necessary for identification of your case. If you would like to receive the requested information, you should send your written request to:

Data Protection Unit
Alnwick House
Room BP6002
Benton Park View
Benton Park Road
Newcastle Upon Tyne
NE98 1YX.

Please include your full name, date of birth, address, CSA case number and National Insurance number. From 9 November 2009, the Commission has introduced a £10 fee to process written personal information requests. You may either enclose a £10 postal order made to CSA or include your telephone number and request Data Protection officers to call you to take the £10 payment by credit/debit card over the telephone.

If you have any queries about this letter please contact us quoting the reference number above.

Yours sincerely,

**Child Maintenance and Enforcement Commission
Freedom of Information Act Focal Point**

Your right to complain under the Freedom of Information Act

If you are not happy with this response you may request an internal review by e-mailing FOI.FocalPoint@childmaintenance.gsi.gov.uk or by writing to Child Maintenance and Enforcement Commission, Freedom of Information Act Focal Point, PO Box 61791, London, SW1P 9NT. Any review request should be submitted within two months of the date of this letter.

If you are not content with the outcome of the internal review you may apply directly to the Information Commissioner's Office for a decision. Generally the Commissioner cannot make a decision unless you have exhausted our own complaints procedure. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF www.ico.gov.uk.