



Audit Commission(AC)
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Tel/Fax: +44 (0) 1772 715963.
symbolseeker@tiscali.co.uk

BURNS

Saturday, 19th December 2009.

My Ref: PB04109.

Your Ref:

**Freedom of Information Act 2000-Request.
Data Protection Act 1998-Subject Data Request.**

Dear Mr.Kavanagh,

I note I have not yet received acknowledgement from the AC of my informal email of the 14th inst., or the supply of the necessary papers to initiate a DPA data subject request?

[1] This is in the matter of my Fire Service pension in respect of the Injury Pension Award.

[2] My pensions are statutorily paid by the Lancashire County Council Pensions Services(LCC PS) whilst acting as Contractors to the Lancashire Fire & Rescue Service(LFRS) which is itself governed by the Lancashire Combined Fire Authority(CFA).

[3] I am in legal dispute with the CFA and I am represented by Thompsons the Solicitors of London.

[4] During this dispute the CFA decided, without prior legal justification to me, or without informing me of their intentions prior to misusing the NFI, to obtain my subject data from the DWP. This is the matter which lies at the legal heart of this dispute.

[5] In so doing and in the defamatory statements they have made they have exposed themselves to a pre action protocol "Letter of Claim" for Defamation which has now been lodged with the Lancashire Combined Fire Authority(CFA) who are legally responsible for the LFRS and its agents.

[6] It is to be assumed that the AC would not have used the NFI data matching mechanism on my subject data records held by the DWP **without** substantial and verifiable **legal** justification by the LCC PS/LFRS/CFA. The AC should, under my FOIA/DPA Requests, specifically provide me with copies of the documentary evidence and legal justification to support that joint action by the LCC PS/LFRS/CFA/DWP.

In the event that such an AC justification document, specific to my case, does not exist, you should now supply me with a positional statement supporting and justifying *your* actions in respect of this data matching exercise.

[7] Accordingly I have initiated FOIA and DPA subject data Requests with the CFA; LFRS; the LCC PS; the DWP; and I now do so with the AC.

[8] ***I request under the Freedom of Information Act 2000 that the AC release copies of all correspondence, records, contemporaneous notes, and vox tape recordings***

between the AC and the CFA; the LCC PS; the LFRS; the DWP; and any and all other agencies, whether directly or indirectly involved. This list is not intended to be exhaustive.

In so much as these records relate to this subject of LFRS pensions and Lancashire Fire Service Veterans, other than in so much as they relate and refer to an individual, (redaction is assumed) though not excluding my specific pension or my specific public records.

[9] I request under the Data Protection Act 1998 that you release to me copies of all my subject data and all correspondence, records, contemporaneous notes, and vox tape recordings between the AC and the CFA; the LCC PS; the LFRS; the DWP; and any and all other agencies, whether directly or indirectly involved. This list is not intended to be exhaustive

In so much as they relate to this subject of my LFRS pensions.

[10] You should be advised that it is my legal team's intention to cross reference *all* this data received from *all* the agencies, whether or not directly referred to above, or whether or not named; to ensure that no 'economy of response' occurs particularly in that data which is supplied by the LFRS/LCC PS.

[11] Included is a NFI source document to initiate the AC search.

Please acknowledge by surface mail.

Yours Truly,



Paul P. Burns. GFireE
Divisional Fire Officer (Rtd)
HM-t-Q-LSGCM



For Exemplary Fire Service

Order of Excellent Fire-fighter
Soviet Union



Oklahoma Medal of Honor
& Honorary Citizen



Lancashire Combined Fire Authority
Payroll Pensions to Injury Benefits, high quality, within bodies
Match 9
Fri Apr 24 14:00:16 UTC+0100 2009

Authority Code	LANC03
Reference Number	30M7526757A
Title	Mr
Surname	Burns
Forename	Paul Peter
Date of Birth	29/06/1943
NINumber	██████████
Address 1	7 Kings Drive
Address 2	Fulwood
Sex	M
Postcode	PR2 3HN
Date Started	01/02/1997
Gross Pay To Date	12745.45
Date Last Paid	01/10/2008
Pensioners Widow Indicator	P
Claimant Title	MR
Claimant Surname	BURNS
Claimant Forename 1	PAUL
Claimant Forename 2	PETER
Claimant Address 1	7 KINGS DRIVE
Claimant Postcode	PR2 3HN
Claimant Date of Birth	29/06/1943
DWP Matchkey Rule	1 - NINumber and Date of Birth
IIDB Weekly Benefit Rate	54.72
IIDB Claim Start Date	31/03/1999
IB Weekly Benefit Rate	
IB Claim Start Date	
Incapacity Code	
Incapacity Code 2	
Text SF Frequency	596
Viewing Order	1
Previous Year Of Match	
Recommended Filter	

From: [Paul P Burns](#)
To: "[Freedom of Information](#)"
Bcc: [04-Michael Titterington](#); [07-Frank Galpin](#); [11-Bill Hewitt](#); [11-Duncan](#); [11-Reg Berry \(rberry003@myguide.net\)](#); [11-Mr.J.Cheetham](#); [10-FBU Kevin Deacon \(Kevin.Deacon@FBU.org.uk\)](#); [10-FBU Lancs S.Harman](#); [07-Geoff Driver HA \(greenroyd@aol.com\)](#)
Subject: RE: Request for information - RFI 1240
Date: 25 February 2010 11:08:00

Hello Shaun,
This is useful and concludes my Requests under the Act. Thanks for your efficiency and courtesy,
Sincerely,
Paul



Paul P Burns GIFireE
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From: Shaun Kavanagh [<mailto:s-kavanagh@audit-commission.gov.uk>] **On Behalf Of** Freedom of Information
Sent: 25 February 2010 09:49
To: Paul P Burns
Subject: Request for information - RFI 1240

<<AC Access to Information Complaint and Appeal Procedure final (2).pdf>>

Dear Mr Burns

I write following to my email dated 3 February 2010 acknowledging receipt of your request for information.

You requested:

'statistically, how many data matches in total were there for the LFRS following this exercise? I note the number on my record.'

There were 53 matches for Lancashire Fire and Rescue Service.

The number 58 which appears on your screen shot is not an indication of the number of matches but refers to the exercise number.

I hope this information is helpful, however if you are unhappy with this response, or the way your request has been handled, you can raise a complaint under the Audit Commission's Access to Information Complaints Procedure. Please find a

copy attached.

Yours sincerely

Shaun Kavanagh
Public Enquiries Officer
part of the Chief Executive's Office

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BS34 8SR

 0844 798 7961

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 s-kavanagh@audit-commission.gov.uk

 For Freedom of Information (FOI) requests please email foi@audit-commission.gov.uk

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