



Lancashire Fire and Rescue Service
Service Headquarters
Garstang Road
Fulwood
Preston
PR2 3LH

F.A.O. Mr Holland the Chief Fire Officer

24th October 2010

Dear Mr Holland

I once again find myself having to write to you regarding the lack of progress with the matter of my pension and the refusal of your Mr Warren to reply to my queries

Mr Warren's behaviour in this matter is nothing less than disgraceful in that his replies have persistently avoided answering the questions posed and the time taken to reply has progressively increased from
Two months for the first reply

Four months for the second,

Seven months for the third,

To the latest delay which is now ***over 16 months!!!!*** since my last request for information (15th June 2009), ***despite several reminders*** to both Mr Warren and Mr Hurst (Mr Hurst dealt with my official complaint, finding nothing unusual with the lengthy delays, or the evasive manner of Mr Warren. He then concluded that the manner could only be resolved by corresponding with Mr Warren - I wish).

I don't know if you can appreciate the upset and worry and the detrimental effect on the health of my wife and I that this never ending saga is having

You as Chief Officer are responsible for the efficient running of the service and responsible for the actions (or on this occasion the inaction) of your staff

If you are aware of the manner in which this matter is being dealt with you should be ashamed of yourself, if you are not aware of what is going on you should still be ashamed, because you are supposed to be in charge!!

I now formally request *all* subject data relating to my pension including *all* correspondence with other agencies including the combined fire authority; this should include minutes, notes and letters.

I also request a copy of my personal record file.

I believe I am entitled to this information under the data protection act 1998

I intend sending a copy of this letter to the head of the county council in the hope that he may be able to encourage you to deal with the disaster that is your Service Headquarters

Yours sincerely

John S Hinton

Peter Holland CBE OStJ QFSM FIFireE
Chief Fire Officer



Please ask for: County Councillor David O'Toole
Telephone: 01772 533357
Email: david.o'toole@lancashire.gov.uk
Your Ref:
Our Ref: DT/JLW
Date: 26 November 2010

Dear Mr Hinton

In response to the issues raised in your letter of 24 October to the Leader of Lancashire County Council which I acknowledged on 11 November, I have now had the opportunity to make enquiries into the issues you raise, including examining the correspondence between yourself and Mr Warren. As a result I would advise you of the following:

- Following the discovery of a discrepancy in the calculation of the amount of injury award for another pensioner in receipt of an injury award, the Lancashire Combined Fire Authority instructed that a full review of benefits be undertaken for all recipients.
- Mr Warren is the lead officer in this review which ensures consistency and fairness in treatment in this complex area.
- The Resources Committee of the Combined Fire Authority established a sub-committee of members to oversee the review with outcomes being reported through the CFA via the Resources Committee.
- Your previous complaints concerning Diane Lister and Bob Warren were reported and considered by this sub-committee and they were content with the actions taken.

You are one of five individuals who refuse to allow the Service access to your benefits record. The other 162 individuals have all given consent.

You cite past breaches of confidentiality as the basis of this refusal.

Lancashire Combined Fire Authority
Lancashire Fire & Rescue Service Headquarters
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In an attempt to resolve your concerns special arrangements were made to discuss your situation with Bob Warren and Diane Lister, from Lancashire County Council's Pensions Section, at a local fire station.

The location was for your convenience and to avoid you having to visit what you considered more intimidating offices (Fire Service HQ or County Hall). The meeting was arranged in an attempt to explain, on a one to one basis, what LFRS was endeavouring to do and to understand and consider your concerns.

During this meeting it was explained the reasons for the review, the approach and why it was felt necessary. What information was required and who would have access to it was also explained. Having listened to your concerns a different methodology was suggested in Mr Warren's letter of 22 December.

You did not accept this offer and entered into further correspondence, which I have had sight of.



I understand subsequently in May 2010 you approached Mr Harman about your situation and he advised you to complete the DWP access documentation.

Whilst the progression of this issue is a matter for Officers it is clear that this is with Member oversight.

It is equally clear that if the Service cannot calculate your injury pension it has no option but to suspend payment until such time as the payment can be correctly calculated.

In order to resolve this situation it is necessary for the Service to be able to make this necessary calculation. Without this ability your injury pension must remain suspended.

Having made these enquiries I am satisfied that the resolution of this issue is in your own hands.

I am satisfied that the actions of Mr Warren have been appropriate in the circumstances and that your queries and letters have been responded to.

Yours sincerely

A handwritten signature in black ink, which appears to read 'David O'Toole', is written over a horizontal line.

County Councillor David O'Toole
Chairman
Lancashire Combined Fire Authority



Lancashire Fire and Rescue Service
Service Headquarters
Garstang Road
Fulwood
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PR2 3LH

F.A.O, Mr Peter Holland CFO

27/04/2012

Dear Mr Holland,

Once again you have disappointed me by not providing the courtesy of a response. The continued refusal to follow neither your own rules nor those laid down by Act of Parliament leads me to believe that you must be involved in a deliberate cover-up.

Having briefly studied CC O'Toole's expenses claims as supplied by LCC I have identified several unusual anomalies which at best suggest opportunism and at worst fraud! These and any found within documents from the CFA, I envisage being put before the Chief Constable for further investigation.

LFRS have often cited their robust accounting procedures and their strong desire to protect the public purse, I am sure this also extends to the '*Fat Cats*' at the top of the pile as well as to the '*Kittens*' at the bottom of the heap. With that in mind I once again ask for both yours, Mr Holland and CC O'Toole's expense claims for the last seven (7) years, or longer if available. I can see no legitimate reason why LFRS can continue refusing to release the expense claims of their two most senior members (CFO & Chair of CFA) when the senior members of Government willingly make public their expenses.

I find it difficult to imagine how LFRS will be able to justify its failure to release CC O'Toole's (and yours Mr Holland) expense claims especially at a point in time when this CC, who is also the Conservative Party Whip in Lancashire, is seeking re-election. I believe the public interest and the media will demand an explanation that if it was good enough for the Prime Minister to

release all his expenses why the same action is not being taken by the Conservative Party Whip in Lancashire and his curious refusal to release his expenses claims within the Combined Fire Authority

I am sure that the opposition parties at this particular time will be somewhat curious also when they are informed...not if...

With regard to my PRF, I have been informed by the ICO that they have advised you that they have made an assessment of this case and are of the opinion that you are not complying with The Data Protection Act.

I now formally request that within the next seven (7) days you supply me with a copy of my PRF, as previously requested and paid for by me. Should this not be forthcoming I intend to issue county court proceeding against you under Section 7 of The Data Protection Act 1998 to recover my PRF and recover my costs in issuing these proceedings

Yours sincerely

John S Hinton



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F.A.O, Mr Peter Holland CFO


29/04/2012

Dear Mr Holland,
Finally and belatedly it seems I am to get a reply in Monday morning's post.

I hope your letter will explain why you still refuse to investigate the TWO Official Complaints I put to you, and your refusal to move to the next level of the complaints procedure

In the interim you have confirmed, inadvertently, that both you and CC O'Toole are indeed engaged in a cover up.

I will let your own guilty words speak for your collective deceit:

"From: SHQ - Holland, P (CFO) <PHolland@lancsfirerescue.org.uk>
Date: 25 April 2012 18:06
Subject: Re: Failure to reply
To: "
Cc: "SHQ - Stacey, Kathy" <KathyStacey@lancsfirerescue.org.uk>

**Bob we need to discuss this asap as he is linking LCCs action with ours as we expected. I have copied Kathy in 'In Confidence' so she can think about our response if asked. We need to think about chairman as he will feel vulnerable and may well want us to release his expenses
Peter"**

It seems clear to me that CC O'Toole has instructed you not to release his expenses in spite of the LCC lawful contrary action and for your part you have decided in your case not to do so either.

The simple question begs asking what have you both got to hide?

As I have stated previously this is at complete variance with government policy and with CC O'Toole's Party Leader the Prime Minister who in his public example released his expenses.

The whole tone of this email is one of intended calculated deceit which includes not only the intent to deceive me but in complicity with your staff Mr. Warren and Ms. Stacy, your deliberate intention to deceive and mislead the Elected Members of the CFA; the LCC; the media; and more importantly the Public.

The most unforgivable aspect of this email in my opinion is your abuse of your authority in seeking to blatantly misuse Ms. Stacey Head of Corporate Communications who the Public and the media have a right, which they pay her for, to support honesty and transparency in public office when dealing with them.

I cannot, other than for the obvious existence of anomalies in CC O'Toole's LCC claims, understand why CC O'Toole would feel "vulnerable" unless both you and he know without doubt that even greater anomalies are to be found in his CFA claims. If this is so, and based on his LCC claims, I anticipate that it will be, then you are both complicit in fraudulent acts of which you are both mutually aware that the other is also engaged in. This is not only corrupt practice in public office but is also known as conspiracy to defraud.

It seems by the tone of your latest email that both you and CC O'Toole take exception to my actions including my democratic right of protest and my right to lobby whomsoever I wish. Who exactly has given you this 'right'?

In an extension of this 'might is right' attitude you use the implicit threat that you will seek legal advice, as though it is me that has ignored the law rather than you.

Next you seem to think that I do not have the right to use the Courts either to seek the justice and restitution you have for some years denied me. When you attend Court, you will have the opportunity to challenge me in any manner the Court will permit you to.

In the matter of my PRF last September the Information Commissioner *advised you that you were not complying with the law and* instructed "as a matter of priority" that *you* release my PRF to me. Once more because you think 'might is right' you chose to ignore this instruction. I intend that the Commissioner now takes regulatory action against you.

To refresh your memory I now include a copy of the IC's assessment whilst pointing out to you that this is the assessment about *my* PRF and not to be confused with other disabled FSVs who are pursuing parallel courses of action to retrieve their own PRFs.

Judging by the contents of two other PRF's, which in your inconsistency you have released and of which I am aware, no doubt my PRF will have little or no pension records in it either, which is yet more massive cover up of your pension maladministration.

The LCC have released CC.O'Toole's expenses claims in spite of what you term a 'vexatious' judgement from the Information Tribunal a judgement which in any event was not related to me but to another individual but in an act by the LCC which demonstrates pragmatic and shrewd political judgement.

This action also simply bows to the inevitable in that whilst the IC made a particularly ill-founded judgement, a short time later a proper Judge in a proper Court ironically in proceeding brought by the CFA reached a completely different conclusion within the law when ordering the release of LCC and CFA confidential documents to the self-same disabled FSV you quote which also included his PRF which like mine you have long denied to him.

It is common knowledge among disabled FSVs particularly those involved in this comic opera and who attended this Hearing in January that because the CFA was economical in its response to the Courts Orders for confidential document disclosure that the CFA have been ordered back to a reconvened Specific Disclosure Hearing in early May to explain away their Contempt. It is anticipated that the Court will issue further Disclosure Orders complete with personal sanctions should the CFA decide once more that its 'might' is greater than the Courts.

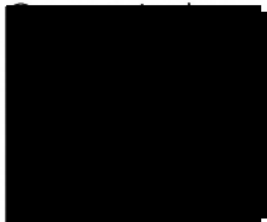
The truth with the assistance of the Courts has a habit of being brought to light. It seems that Elected Members of the CFA have approved a written corporate policy approving the imposition of financial hardship on us, a corrupt act in an abuse of power shared by all the members on the CFA, but a secret policy which will surely see the public light of day.

Yours sincerely

John S Hinton

PROTECT

Mr J Hinton



26 April 2012

Reference: RFA0355270

Dear Mr Hinton

Further to your email of 25 April, please find enclosed a copy of my letter to LFRS dated 29 September 2011. This letter explains my assessment.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nicki Hargreaves'.

Nicki Hargreaves
Case Officer

PROTECT



Mixed Sources
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forests, controlled sources and
recycled wood or fiber

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Mr Lee Gardiner, DP & FOI Officer
Lancashire Fire & Rescue Service
Service Headquarters
Garstang Road
Fulwood
Preston
PR2 3LH

29 September 2011

Our reference: RFA0355270
Your reference: LG/ICO/SAR/Hinton

Dear Mr Gardiner

Thank you for your letter of 14 July 2011 regarding the complaint made by Mr John Hinton. I note that your letter explains that Lancashire Fire & Rescue Service (LFRS) was reconsidering the decision in light of our revised guidance and would respond in due course, but we have not received any further correspondence. The decision has therefore been made to complete this assessment based on the information we have available.

When we last wrote to you, we explained that when we receive complaints, our obligation is to make an assessment. The assessment is the Information Commissioner's view about whether an organisation has followed the rules of good practice for handling information in the Data Protection Act 1998 (the DPA).

We also explained that our aim is to ensure that organisations deal with personal information properly in the future. Our assessment decisions can help us to decide whether we should take action against a particular organisation.

Our decision

In this case we have decided that it is unlikely that LFRS has complied with the requirements of the DPA.

You are already familiar with the view of the Information Commissioner from extensive correspondence earlier this year with related cases. I do not therefore intend to repeat this here. However, as you are aware, the Information Commissioner takes the view that the file requested by Mr Hinton is held in a relevant filing system and is therefore subject to the DPA, and should have been provided in response to this subject access request.

The Information Commissioner has decided that further regulatory action is not appropriate at this time; however I would recommend that Mr Hinton's information is provided to him as a matter of priority.

When deciding whether regulatory action is appropriate, we take into account the organisation's general record of compliance with the DPA (including any previous assessments we have made) and any other information that is in our possession (including information given during the course of those assessments).

Having carefully considered all the information that we hold about LFRS, we have decided that formal regulatory action is not required at this point.

Next steps

Most organisations will want to put things right when they have gone wrong and learn from complaints that are raised with them. Although we are not considering further action at this time, you should consider the information we have provided during the course of this assessment and take steps to prevent the situation from happening again.

We keep a record of all assessment decisions and will take these into account if we receive further complaints about LFRS. The information we gather from complaints may form the basis for regulatory action in the future.

Yours sincerely

Nicki Hargreaves
Case Officer, Complaints Resolution
Tel: 01625 545840



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Garstang Road
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F.A.O., Mr Peter Holland CFO.

01/05/2012

Dear Mr Holland,

I acknowledge receipt of three letters. One dated 27/04/2012 and two dated 30/04/12. The first from your Mr. Warren; the second from the Clerk to the Combined Fire Authority Mr. M. Winterbottom DL JP; and the third from your Mr. Warren.

Firstly, responding to Mr. Warren's of the 27th I cannot understand what he means when he states that the 70+ plus documents I have from the LCC are 'different data'. Unless I am mistaken they look very much like all of CC O'Toole's expenses claims from when he was first elected, but I could be wrong. To avoid confusion this is the 'different data' I am seeking from you and from CC O'Toole at the CFA.

Secondly, responding to Mr. Winterbottom's of the 30th I accept his two personal apologies for the delay in his failure to deal with my correspondence.

Unfortunately and regrettably these apologies do not seem to advance the cause of my Complaints against you and the CFA one single step and those as you well know are issues which seem destined to continue unless and until you address them properly.

The only manner in which the Authority can provide 'light in my darkness' as Mr. Winterbottom puts it is to address my grievances four square. It seems to me there is no darkness but ignorance which can easily be addressed by a wise man rich in common-sense, and it is common-sense which seems to be entirely lacking.

Thirdly, and finally, in dealing with your Mr. Warren's correspondence of the 30th in particular his second paragraph, I find that his comments are both unclear and ambiguous.

Does he mean, in an implied threat, that if I do not take up his proposal to view my PRF that he intends to issue proceedings against me and if so on what grounds? If this is so then this pugnacious attitude is not helpful and will only be counterproductive.

If, on the other hand, he means that if I do inspect my PRF then the necessity for me to issue proceedings and to continue to pursue other matters against both you and CC.O'Toole will be removed? Then this would not be is not accurate evaluation of the position you both find yourselves in either.

This is very poorly written and to avoid any ambiguity on my part perhaps I need to provide him, you, and CC O'Toole with some clarity.

In my letter dated 27/04/2012 I gave you 7 days that is until 16:00hrs(Court Closure) on Friday 04/05/2012 to deliver to me a copy of my uncensored PRF. The clock as far as I am concerned is still ticking *your* time away until that moment.

I have no desire in the meantime to inspect my PRF at your SHQ or any other Fire Service property. Surely even you must be aware of the psychological harm that you have occasioned me and my family and as a consequence I have not the slightest inclination to visit any FS premises ever again.

However, in a spirit of reasonableness which I have always exhibited in this fiasco I am prepared to meet any of your personnel you propose at a convenient(to me) neutral venue where you must be prepared to handover without further delay or obfuscation a copy of my PRF which I have bought and paid for.

It should go without saying that, as I have demonstrated in the past, I continue to be amenable to civilised discussions for a resolution at such a venue with any suitably qualified senior member of your staff but you must expect that I reserve the right to be accompanied myself.

I await your prompt response on this issue whilst noting that you will shortly respond on the other concerns I have raised with you publicly.

Yours sincerely

John S Hinton

PS: Please ensure in the future that all your communications, unlike your refusal to do so in the past, are sent to my email address [REDACTED]



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F.A.O, County Councillor David O'Toole

20th June 2012

Dear Mr O'Toole

I wish to report to you that Mr Holland and LFRS are refusing to implement their complaints procedure;

I have on a number of occasions raised complaints, these have been ignored. I then have asked for these complaints to be moved on to the next stage of the complaints procedure this request has also been ignored.

I would ask that you in your position as chair of the Combined Fire Authority take steps to ensure my complaints are fully investigated.

I have also asked LFRS to provide a copy of your expenses for your time with the Combined Fire Authority I know you are aware of this and I also know you are aware that this request has been refused.

May I ask, what are you trying to hide? If you have nothing to hide I would ask that you instruct LFRS to release to me a copy of those expense claims

You must be aware that the public view politicians who try to hide their expenses with a great deal of suspicion.

I have viewed your expense claims from the LCC and have noticed some anomalies contained within them,

Would you explain the following:

1, why are you claiming travelling expenses for 65 miles for your journey from your home address to county hall, a journey which the AA route planner and Tom Tom sat nav, say is only 38 miles! Surely as with every other county employee you are only entitled to claim the most direct route (it's not as if the route you take saves time, both sources advise that it would take much longer the way you go)

2, who gave you authority to claim mileage for acting out duties as conservative party whip?

I would be grateful if you would reply fully to me ASAP, should you decline I will be forced to ask you again but I will use the media and the local press to force the answer.

Yours sincerely

John S Hinton



Rossendale Free Press

Dear Sir

With ref to your article concerning MP Jake Berry's expenses, at least he publishes them!

CC O'Toole, Lancashire's Conservative Party Whip and Chairman of the Combined Fire Authority consistently refuses to make public his expenses.

CC O'Toole's previous expenses claims released by the LCC under the Freedom of Information Act confirm that he has regularly been inflating his travel expenses by over 50% - claiming 68 miles per return journey from his home address in Ormskirk to County Hall which is in fact only 38 miles. He also claims expenses for carrying out his Conservative Whip duties claims which are expressly forbidden by all Parties. This confirms not only deliberately lax accounting by the Conservative controlled LCC but demonstrates contempt by Mr O'Toole for the hard working tax payers of Lancashire.

Outgoing Chief Fire Officer, Peter Holland who has a reputation within Lancashire Fire and Rescue for Double Dipping, awarding himself large bonuses and taking female members of staff on expenses paid evening trips to Blackpool, has also refused to disclose details of his expenses. This is public money for which he is required to give an accounting when asked to do so.

The LFRS, CFO Holland and CC O'Toole have been informed by the Information Commissioners Office that they are not fully complying with the Freedom of Information Act yet no one in authority including CC Driver their Lancashire Leader who is fully aware of all these wrong doings calls them to account. No doubt he like O'Toole will ask us for our votes in May next year when they both come up for re-election..

This is Rossendale council taxpayer's money that these people are fraudulently claiming.

By refusing to disclose the details of where this money was spent, the only conclusion that can be arrived at is that O'Toole and Holland are fiddling their expenses as their records confirm.



The Chief Constable.
Lancashire Constabulary HQ.,
Saunders Lane,
Hutton
Nr Preston,
PR4 5SB.

20th January 2013

Re: Complaint against County Councillor David O'Toole

Dear Sir

I wish to make a complaint against County Councillor David O'Toole.

I believe that CC O'Toole has been falsely claiming expenses for duties carried out for Lancashire County Council and also The Combined Fire Authority

In evidence of this, copies of his expenses claims were provided by LCC which show that he regularly claims for party political duties (he is the Conservative Party Whip for Lancashire). Claims for such duties are excluded from remuneration by the public purse.

He also inflates his mileage claims, a journey that in actuality is 19miles each way, becomes a total of 68 miles, when CC O'Toole has finished wandering around the county.

I wrote to CC O'Toole asking for an explanation of the above and also asked him and Lancashire Fire and Rescue Service for a copy of his expenses claims for this duties as Chair of the Combined Fire Authority with a view to comparing the claims and identifying duplications. I informed him that if I found this to be the case, I intended passing that information to the Police for investigation, whereupon CC O'Toole and LFRS refused to make available his claims.

I have requested this information under The Freedom of Information Act and it has been refused, I then made repeated complaints to LFRS under their own complaints procedure these were ignored.

These evasive tactics by Mr O'Toole and LFRS lead me to believe that a cover up is in place to hide the fact that misappropriation of Public funds is taking place.

Using the records provided by LCC and taking into account the reactions of CC O'Toole and LFRS, I believe a crime has been committed and I wish you to investigate this matter with a view to prosecution.

Yours sincerely

John S Hinton