

DATA PROTECTION ACT 1998

UNDERTAKING

Data Controller: Doncaster Metropolitan Borough Council

ICT
Nether Hall
Nether Hall Road
Doncaster
DN1 2PN

I, Rob Vincent, Chief Executive of Doncaster Metropolitan Borough Council (the "council") for and on behalf of the council hereby acknowledge the details set out below and undertake to comply with the terms of the following Undertaking:

1. Doncaster Metropolitan Borough Council is the data controller as defined in section 1(1) of the Data Protection Act 1998 (the "Act"), in respect of the processing of personal data carried out by the council and is referred to in this Undertaking as the "data controller". Section 4(4) of the Act provides that, subject to section 27(1) of the Act, it is the duty of a data controller to comply with the data protection principles in relation to all personal data in respect of which it is a data controller.
2. The Information Commissioner (the "Commissioner") was informed by the data controller of the inappropriate disclosure of third party data which occurred during court proceedings.
3. The council informed the Commissioner that a document containing personal details of 39 employees was provided during court proceedings to the defendant, without the relevant redactions in place. This followed a previous report by the council which informed the Commissioner of the inappropriate disclosure of third party data in response to a subject access request whereby the information provided was not correctly redacted.
4. The Commissioner has considered the data controller's

compliance with the provisions of the Act in the light of this matter. The relevant provision of the Act is the Seventh Data Protection Principle. This Principle is set out in Schedule 1 Part I to the Act.

5. Following consideration of the remedial action that has been taken by the data controller, it is agreed that in consideration of the Commissioner not exercising his powers to serve an Enforcement Notice under section 40 of the Act, the data controller undertakes as follows:

The data controller shall, as from the date of this Undertaking and for so long as similar standards are required by the Act or other successor legislation ensure that personal data are processed in accordance with the Seventh Data Protection Principle in Part I of Schedule 1 to the Act, and in particular that:

- (1) Procedures for dealing with subject access requests are clearly defined and managed, and all staff involved in such work receive appropriate training in how to follow them;**
- (2) Appropriate checks and supervision are put in place to ensure that third-party data is dealt with in accordance with the Act's requirements and the data controller's policies and procedures;**
- (3) The data controller shall implement such other security measures as it deems appropriate to ensure that personal data is protected against unauthorised and unlawful processing, accidental loss, destruction, and/or damage**

Dated.....

Signed.....

Rob Vincent
Chief Executive
Doncaster Metropolitan Borough Council

Signed.....

Mick Gorrill

Head of Enforcement

For and on behalf of the Information Commissioner