

DATA PROTECTION ACT 1998

UNDERTAKING

Data Controller: Identity and Passport Service

Home Office
2 Marsham Street
London
SW1P 4DF

I, Sarah Rapson, Chief Executive of the Identity and Passport Service ("IPS"), for and on behalf of the Secretary of State for the Home Department, hereby acknowledge the details set out below and undertake to comply with the terms of the following Undertaking:

1. The Secretary of State for the Home Department 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 Home Office, in this case also known as IPS, 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 provided with a report of the loss of 21 renewal passport applications from a particular passport office in May 2010; these contained the personal data of both applicants and countersignatories. All those affected were informed and offered new passports, and the details were recorded on relevant databases. No complaints were received from those affected and the data controller is unaware of any damage having been caused as a result of the loss.
3. Since the loss, the data controller has reviewed its procedures and continues to seek ways to improve security to ensure that such an incident does not recur in future. In addition, it is noted that part of the processing for passport applications is carried out on the data controller's behalf by a data processor.
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) All staff are aware of the data controller's policy for the storage and use of personal data and are appropriately trained how to follow that policy;**
- (2) Compliance with the data controller's policies on data protection and IT security issues is appropriately and regularly monitored;**
- (3) Where processing is carried out by a data processor on the data controller's behalf, the data controller shall take reasonable steps to ensure that appropriate technical and organisational security measures are in place in respect of such processing;**
- (4) In taking reasonable steps the data controller shall carry out and document regular inspections of the security of the methods used for the processing of personal data and carry out regular audits of the processing activities to ensure compliance with the guarantees made by the data processor;**
- (5) 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 14 February 2011

Signed
Sarah Rapson
Chief Executive, Identity and Passport Service
For and on behalf of the Secretary of State for the Home Department

Signed
Mick Gorrill
Head of Enforcement, ICO
For and on behalf of the Information Commissioner