

DATA PROTECTION ACT 1998

UNDERTAKING

Data Controller: Co-operative Life Planning Limited

New Century House
Corporation Street
Manchester
M60 4ES

I, Ian Mackie, Managing Director, of Co-operative Life Planning Limited, for and on behalf of Co-operative Life Planning Limited hereby acknowledge the details set out below and undertake to comply with the terms of the following Undertaking:

1. Co-operative Life Planning Limited 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 Co-operative Life Planning Limited 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. On Tuesday, 08 March 2011, the data controller supplied the Information Commissioner (the 'Commissioner') with a report, detailing an incident regarding the inappropriate disclosure of personal data.
3. On two occasions, the data controller had reason to call for the assistance of a software support services supplier, to analyse and resolve an issue with an electronic file, which contained a substantial volume of customer's personal data. On both occasions, in order to resolve the problem, the supplier copied the file onto its own server. The supplier was not authorised to transfer any such data from the data controller's computer systems.
4. The data controller failed to identify that customer's personal data had been removed from their systems and in addition, that the electronic files in question had not been deleted from the supplier's server. Further security failings resulted in the error not being identified for a number of weeks.

5. 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.
6. 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. Introduce data loss prevention software, as previously tested by the data controller, which will a) provide the ability to identify all personal data held on any system; b) give visibility of any movement of personal data internally; c) identify any attempt[s] to transfer personal data to any external source and quarantine the data until it has been reviewed for suitability.**
- 2. Appropriate penetration testing should be performed across all internal and third party systems, that store or process personal data and are subject to substantive maintenance. Routine testing should be performed thereafter.**
- 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.**

Signed:

Ian Mackie, Managing Director
Co-operative Life Planning Limited

Dated:

Signed:

Sally-Anne Poole, Head of Enforcement
For and on behalf of the Information Commissioner

Dated: