

DATA PROTECTION ACT 1998

UNDERTAKING

Data Controller: Lewisham Homes Limited

Holbeach House
9 Holbeach Road
London
SE6 4TW

I, Andrew Potter, Chief Executive of Lewisham Homes Ltd (the 'Company'), for and on behalf of the Company, hereby acknowledge the details set out below and undertake to comply with the terms of the following Undertaking:

1. Lewisham Homes Ltd 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 Company 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 discovery in a London pub of a USB memory stick containing personal data relating to over 20,000 of the data controller's tenants. The device, which was not encrypted, also contained similar data about tenants of another organisation. Nearly 800 of the records belonging to the data controller also contained tenants' bank account details.
3. Enquiries revealed that the USB stick was the property of a contract worker who had carried out a project for the data controller. He had copied the data to this device due to problems encountered backing up work on the data controller's network. In addition, the Commissioner was told that there was no effective measure in place to prevent the use of personal or unencrypted USB devices on the data controller's systems, and there was no provision for training contract workers in the data controller's policies on data protection.
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 portable and mobile devices including laptops and other portable media used to store and transmit personal data, the loss of which could cause damage or distress to individuals, are encrypted using encryption software which meets the current standard or equivalent;**
- (2) All staff, including contractors and temporary or agency staff, are made fully aware of the data controller's policy for the storage, transmission and use of personal data and are appropriately trained how to follow that policy;**
- (3) Adequate checks are carried out on contractors and other temporary staff;**
- (4) Compliance with the data controller's policies on data protection and IT security issues is appropriately and regularly monitored;**
- (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

Signed
Andrew Potter
Chief Executive
Lewisham Homes Ltd

Signed
Sally-anne Poole
Acting Head of Enforcement
For and on behalf of the Information Commissioner