

# **DATA PROTECTION ACT 1998**

## **UNDERTAKING**

Data Controller: Wandle Housing Association Ltd  
  
15 Abbeville Road  
London  
SW4 9LA

I, Sara Thakkar, Chief Executive of Wandle Housing Association Ltd (the 'Association'), for and on behalf of the Association, hereby acknowledge the details set out below and undertake to comply with the terms of the following Undertaking:

1. Wandle Housing Association 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 Association 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 6,200 of the data controller's tenants. The device, which was not encrypted, also contained similar data about tenants of another organisation.
3. Enquiries revealed that the USB stick was the property of a contract worker who had previously carried out a project for the data controller. He had copied the data to this device to work on a laptop computer at home, as he had experienced problems with his remote connection to the data controller's network. In addition, the Commissioner was told that there was no evidence that this contractor had ever been trained in the data controller's policies and procedures relating to data protection or IT security.
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 .....  
Sara Thakkar  
Chief Executive  
Wandle Housing Association Ltd

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