

DATA PROTECTION ACT 1998

UNDERTAKING

Data Controller: London Borough of Croydon

Taberner House
Park Lane
Croydon
CR9 3JS

I, Jon Rouse, Chief Executive, of London Borough of Croydon, for and on behalf of London Borough of Croydon hereby acknowledge the details set out below and undertake to comply with the terms of the following Undertaking:

1. London Borough of Croydon 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 London Borough of Croydon 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 in June that a bag belonging to a social worker employed in the Council's Children and Young People's Department was stolen from a public house in London. The bag contained a hard copy file of papers concerning a child who is in the care of the Council.
3. The Commissioner formed the view that an apparent lack of effective controls and procedures for taking information out of the office was a major contributor to the loss of highly sensitive personal data. It was considered that further staff training was also warranted.
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. The Commissioner has also considered the fact

that some of the data stolen in this incident consisted of information as to the physical or mental health or condition of the data subjects. Personal data containing such information is defined as "sensitive personal data" under section 2(e) of 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. The data controller shall draft and implement a formal policy covering the storage, physical security, transportation, use, and disposal of personal data outside of the office environment;**
- 2. All relevant staff shall be made aware of the data controller's policy for home working and appropriately trained how to follow that policy;**
- 3. Compliance with the data controller's policies on data protection and home working shall be appropriately and regularly monitored;**
- 4. The data controller shall implement such other security measures as are appropriate to ensure that personal data is protected against unauthorised and unlawful processing, accidental loss, destruction, and/or damage.**

Dated.....

Signed.....

Jon Rouse
Chief Executive
London Borough of Croydon

Signed.....

Stephen Eckersley
Head of Enforcement
For and on behalf of the Information Commissioner