



Information Commissioner's Office

## DATA PROTECTION ACT 1998

### SUPERVISORY POWERS OF THE INFORMATION COMMISSIONER

#### UNDERTAKING

**Data Controller:** Clydesdale Bank plc

**Company Reg. No.:** SC001111

**Head Office:** 30 St Vincent Place  
Glasgow  
G1 2HL

I Steve Reid, General Manager - Retail Banking and Wealth Management, Clydesdale Bank plc hereby acknowledge the details set out below and undertake on behalf of the Clydesdale Bank plc to comply with the terms of the following undertaking;

1. Clydesdale Bank plc 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 on by Clydesdale Bank plc 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 (ICO) has received a complaint regarding the processing of personal data by the data controller, and in particular that items of personal information were recovered from refuse bins outside the Glasgow (Giffnock) branch of the data controller.

This personal information consisted of a telephone banking form containing a customer's name and contact details, 6 cash deposit bags showing customer names and account numbers, 22 computerised print outs showing direct debits and bank giro credits to customer accounts, and other miscellaneous papers.

3. The ICO 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 at Part 1 of Schedule 1 to the Act. A copy of the Data Protection Principles is attached.



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4. By a letter dated 23<sup>rd</sup> November 2006, the data controller made representations to the ICO

Following consideration of those representations it has been agreed that, in consideration of the ICO not exercising his powers to serve an Enforcement Notice under section 40 of the Act, the data controller undertakes as follows:-

***From the date of this undertaking, the data controller shall, in order to assist in compliance with the Seventh Data Protection Principle in Schedule 1 Part 1 of the Act (or similar provision in other successor legislation):***

- ensure that a procedure is put in place within the branch network for the confidential disposal of waste containing personal data - this to include introducing enhanced procedures for the disposal of redundant plastic cards, plastic deposit envelopes and digital media and the secure destruction of paper waste; and***
- ensure that, on an ongoing basis, adequate and relevant data protection training is provided to all employees which shall include training on the Seventh Data Protection Principle.***

***The above undertakings shall not restrict the data controller's ability to amend its business processes so long as any such revised process, where followed, continues to assist in compliance with the Seventh Data Protection Principle.***

Dated....

5/2/07

Signed...

For Clydesdale Bank pic

Signed.....

Mick Gorrill, Head of Regulatory Action Division  
For the Information Commissioner