



Information Commissioner's Office

## DATA PROTECTION ACT 1998

### SUPERVISORY POWERS OF THE INFORMATION COMMISSIONER

#### UNDERTAKING

**Data Controller:** HFC Bank Limited

**Company Reg. No.:** 1117305

**Registered Office:** North Street  
Winkfield  
Windsor  
Berkshire  
SL4 4TD

I John Uphoff, Chief Executive, of HFC Bank Limited North Street, Winkfield, Windsor, Berkshire, SL4 4TD on behalf of HFC Bank Limited hereby acknowledge the details set out below and undertake to comply with the terms of the following undertaking;

1. HFC Bank 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 on by HFC Bank 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. 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 used by the Newport branch of the data controller. This personal information consisted of a customers loan application form, a collections history printout in relation to a customer 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 27<sup>th</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:-

***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 from other data controllers in similar circumstances, ensure by all reasonable practicable measures that personal data is processed in accordance with the Seventh Data Protection Principle in Schedule 1 Part 1 of the Act, and in particular that,***

- all data protection procedures are updated and strictly adhered to, so as to ensure the correct procedures are in place for the handing and disposal of confidential waste including personal information, and***
- adequate and relevant data protection training be given to all employees with an emphasis being placed on the secure disposal of personal information. Staff be required to complete an on-line refresher course and test on a regular basis and at least once every two years***

Dated..... 21/02/07 .....

Signed  
For HFC Bank Limited //

Signed.....  
Mick Gornall (Head of Regulatory Action Division)  
For the Information Commissioner