



Information Commissioner's Office

DATA PROTECTION ACT 1998

SUPERVISORY POWERS OF THE INFORMATION COMMISSIONER

UNDERTAKING

Data Controller: Immigration Advisory Service

Company Reg. No: 2823970

Head Office: County House
190 Great Dover Street
London
SE1 4YB

I Keith Best, Chief Executive of, the Immigration Advisory Service of 190 Great Dover Street, London, SE1 4YB on behalf of the Immigration Advisory Service hereby acknowledge the details set out below and undertake to comply with the terms of the following undertaking;

1. The Immigration Advisory service 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 the Immigration Advisory Service 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, namely papers relating to a case before the Asylum & Immigration Tribunal that contained copies of passports, bank statements, personal letters and photographs, was recovered from refuse bins outside the Birmingham office of the data controller.
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.



4. By a letter dated 4th December 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 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,***
- adequate and relevant data protection training be given to all employees on induction and also on an ongoing basis, with emphasis being placed on the secure disposal of personal information, and***
- a review of the processing of personal information is undertaken to ensure that it is carried out in line with the data protection principles***

Dated... 9th February 2007

Signed... [redacted]
For the Immigration Advisory Service

Signed.... [redacted]
For the Information Commissioner