



Information Commissioner's Office

DATA PROTECTION ACT 1998

SUPERVISORY POWERS OF THE INFORMATION COMMISSIONER

UNDERTAKING

Data Controller: Scarborough Building Society

Company Reg. No.: N/A

Head Office: Prospect House
PO Box 6
Scarborough
North Yorkshire
YO11 3WZ

I John Carrier, Chief Executive, of the Scarborough Building Society Prospect House PO Box 6, Scarborough, North Yorkshire YO11 3 WZ on behalf of the Scarborough Building Society hereby acknowledge the details set out below and undertake to comply with the terms of the following undertaking;

1. Scarborough Building Society 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 Scarborough Building Society 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 York branch of the data controller.

This personal information consisted of a customer's mortgage application form and copies of supporting bank statements, customer account details, standing order details and other miscellaneous paperwork which had been torn up.

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 24th 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 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 handling and disposal of confidential waste including personal information, and***
- staff are routinely reminded, through training and other internal communications systems, of their obligations to dispose of personal information in a secure manner in order to protect the confidentiality of customers.***
- all paper waste generated in branches is treated as confidential and shredders are installed in each branch so that papers can be shredded before bags are sealed and securely disposed of by a professional confidential waste management contractor***

Dated... 9 February 2007

Signed. 
For the Scarborough Building Society

Signed. 
Head of Regulatory Action Division
For the Information Commissioner