



Information Commissioner's Office

## DATA PROTECTION ACT 1998

### SUPERVISORY POWERS OF THE INFORMATION COMMISSIONER

#### UNDERTAKING

**Data Controller:** Orange Personal Communications Services Limited

**Company Reg. No:** 02178917

**Head Office:** St James Court  
Great Park Road  
Almondsbury Park  
Bradley Stoke  
Bristol  
BS32 4QJ

I [REDACTED] (name) [REDACTED] of Orange Personal Communications Services Ltd, St James Court, Great Park Road, Almondsbury Park, Bradley Stoke, Bristol BS32 4QJ on behalf of Orange Personal Communications Services Ltd hereby acknowledge the details set out below and undertake to comply with the terms of the following undertaking;

1. Orange Personal Communications Services Ltd 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 Orange Personal Communications Services Ltd 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 members of staff who had recently commenced working for the company were allowed to share user names and passwords to access company computer systems holding the personal data of Orange customers.
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 21 March 2007 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,***

- ***The sharing of user names and passwords by Customer Service Representatives, to access computer systems, shall not be allowed under any circumstances.***

Dated..... 23.5.07 .....

Signed.....  
For Orange Personal Communications Services Ltd

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