

DATA PROTECTION ACT 1998

UNDERTAKING

Data Controller:	Dr Paul Thomas
	Gipping Valley Practice Norwich Road Barham Ipswich Suffolk IP6 0DJ

I, Dr Paul Thomas, general practitioner of the Gipping Valley Practice, as data controller, hereby acknowledge the details set out below and undertake to comply with the terms of the following Undertaking:

1. Dr Paul Thomas 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 Dr Paul Thomas 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 ("the Commissioner") was provided with a report from the Head of Contractor Support at Suffolk Primary Care Trust, regarding the Practice server found in the Gipping Valley Practice car park by an employee of Suffolk Primary Care Trust. The server contained the sensitive personal data of a large number of Practice patients and the personal data of Practice employees.
3. The Commissioner 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 I of Schedule 1 to the Act.
4. In view of the circumstances of this incident and the remedial steps taken by the data controller as a result, it has been agreed that, in consideration of the Commissioner 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, ensure that personal data is processed in accordance with the Seventh Data Protection Principle in Part I of Schedule 1 to the Act, and in particular that:

- The data controller shall ensure that the decommissioning process regarding Practice servers and any other appropriate electronic Practice equipment holding personal data, has been completed successfully so as to maintain the security of that personal data;**
- The data controller shall implement such other security measures as it deems appropriate to ensure that personal data is protected against unauthorised or unlawful processing, accidental loss, destruction and/or damage.**

Dated..... 10/7/09

Signed.....
Dr Paul Thomas

Signed...
Mick Gorrill (Assistant Commissioner, Regulatory Action Division)
For the Information Commissioner