

DATA PROTECTION ACT 1998

24/11/09

UNDERTAKING

Data Controller: Waseley Hills High School and Sixth Form Centre
School Road,
Rubery,
Birmingham,
B45 9EL.

I, Mr A W Roll, Headteacher of Waseley Hills High School and Sixth Form Centre, on behalf of Waseley Hills High School and Sixth Form Centre, School Road, Rubery, Birmingham, B45 9EL hereby acknowledge the details set out below and undertake to comply with the terms of the following Undertaking:

1. Waseley Hills High School and Sixth Form Centre 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 Waseley Hills High School and Sixth Form Centre 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 self reported security breach notification from the then Headteacher, Mr David Thurbon, regarding the theft of an unencrypted school laptop computer in June 2009. The laptop computer contained the personal data and sensitive personal data of 984 pupils and 186 members of staff.
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 appropriate data security procedures regarding laptop computers and other removable media, including the use of encryption where appropriate, are put in place, thus avoiding a repeat of an incident of this nature;**
- **the data controller shall take steps to ensure that all appropriate employees of the data controller are made fully aware of the security procedures and that they adhere to them; and**
- **the data controller shall implement such security measures as it deems appropriate to ensure that personal data is more effectively protected from theft and implement any other measures to ensure against unauthorised or unlawful processing, accidental loss, destruction and/or damage.**

Dated....

24/11/09

Signed..

For Waseley Hills High School and Sixth Form Centre

Signed....

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