

[REDACTED]

DATA PROTECTION ACT 1998

22/4/10

UNDERTAKING

Data Controller: South Yorkshire Pensions Authority

18 Regent Street
Barnsley
S70 2HG

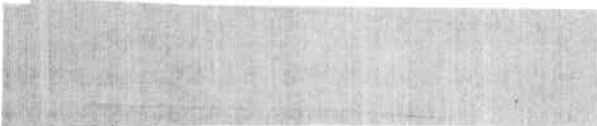
I, Bill Wilkinson, Clerk & Treasurer of South Yorkshire Pensions Authority (the "Authority"), for and on behalf of the Authority, hereby acknowledge the details set out below and undertake to comply with the terms of the following Undertaking:


1. South Yorkshire Pensions Authority 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 out by the Authority 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 of the loss of an unencrypted CD containing personal data relating to 9,140 out of a total of over 115,000 pension scheme members.
3. The CD was being used as a working copy by administrative staff in the office environment and there was no indication that it had been stolen. It had been created as a tool to allow ease of access to particular data by various employees, without full consideration of the possible data security implications. On discovery of the loss, an investigation was carried out and various measures implemented to prevent future recurrence of such an event.
4. 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 in Schedule 1 Part I to the Act.
5. Following consideration of the remedial action that has been taken and proposed by the data controller, it is 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 are processed in accordance with the Seventh Data Protection Principle in Part I of Schedule 1 to the Act, and in particular that:

- (1) Portable and mobile devices including laptops and other portable media used to store and transmit personal data, the loss of which could cause damage or distress to individuals, are encrypted using encryption software which meets the current standard or equivalent;**
- (2) Staff are aware of the data controller's policy for the storage and use of personal data and are appropriately trained how to follow that policy;**
- (3) The data controller shall implement such other security measures as it deems appropriate to ensure that personal data is protected against unauthorised and unlawful processing, accidental loss, destruction, and/or damage.**

Dated..... 22nd April 2010

Signed.. 
Bill Wilkinson
Clerk & Treasurer
South Yorkshire Pensions Authority

Signed..... 
Mick Gorrill
Head of Enforcement
For and on behalf of the Information Commissioner