

DATA PROTECTION ACT 1998

UNDERTAKING

Data Controller: News Group Newspapers Ltd

3 Thomas More Square
London
E98 1XY

I, Christopher Longcroft, Member of the Board of News Group Newspapers Ltd (the 'Company') for and on behalf of the Company, hereby acknowledge the details set out below and undertake to comply with the terms of the following Undertaking:

1. News Group Newspapers 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 out by the Company 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 that a server hosting part of the website of The Sun newspaper had been compromised in July 2011, and that a large amount of personal data relating to its customers had been subsequently leaked on the Internet. None of the data was sensitive personal data as defined in section 2 of the Act. However, some did date from several years ago.
3. Investigations into the incident revealed that the server in question had not been used for its originally-intended purpose for some years, but this had not been noticed by the data controller. Further weaknesses in the data controller's management of its IT network had been identified through tests conducted by an external organisation but not rectified prior to the attack. The data controller also accepted that it had failed to follow its own information governance policies appropriately.
4. The Commissioner has considered the data controller's compliance with the provisions of the Act in the light of this matter. The relevant provisions are the Fifth and Seventh Data Protection Principles, which are set out in Schedule 1, Part I to the Act.
5. Following consideration of the remedial action that has been taken 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 is processed in accordance with the Fifth and Seventh Data Protection Principles in Part I of Schedule 1 to the Act, and in particular that:

- (1) All 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;**
- (2) Technical security controls are improved to prevent further unauthorised access to personal data via web servers, including the implementation by no later than 31 December 2011 of all measures identified in this regard in the external tester's report supplied to the ICO and all remedial measures identified by the data controller in its initial response to ICO enquiries;**
- (3) Compliance with the data controller's policies on data protection and IT security issues is appropriately and regularly monitored;**
- (4) The data controller shall implement measures to ensure that any customer data collected as part of its activities is regularly cleared in line with a defined retention and disposal policy;**
- (5) 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 9 November 2011

Signed
Christopher Longcroft
Member of the Board
News Group Newspapers Ltd

Signed
Sally-Anne Poole
Acting Head of Enforcement
For and on behalf of the Information Commissioner