

Data Protection Act 1998 Undertaking follow-up

Prospect ICO Reference: ENF0427341

On 15 May 2013 the Information Commissioner's Office (ICO) conducted a follow-up assessment of the actions taken by Prospect in relation to the undertaking it signed on 8 January 2013.

The objective of the follow-up is to provide the ICO with a level of assurance that the agreed undertaking requirements have been appropriately implemented. We believe that appropriate implementation of the undertaking requirements will mitigate the identified risks and support compliance with the Data Protection Act 1998.

The follow-up assessment consisted of a desk based review of the documentary evidence Prospect supplied to demonstrate the action it had taken in respect of the undertaking requirements. This included a management summary of actions taken and copies of a recently completed review of data security, training materials and training records.

The review demonstrated that Prospect has taken appropriate steps and put plans in place to address some of the requirements of the undertaking, however further work needs to be completed by Prospect to fully address the agreed actions.

In particular Prospect confirmed that it has taken the following steps:

- Prospect has issued guidance for those staff responsible for transferring personal data to third parties. The guidance includes details about the type of encryption to be used and the mandated process to follow.
- All staff have been reminded of Prospect's Data Protection Policy, which is currently being reviewed.
- Prospect has anonymised its data on its membership system for the purposes of testing. It has also put a system in place whereby access to the server for testing data is now done directly by the

developer, thus avoiding the need to transfer data outside of Prospect. There is an appropriate non-disclosure agreement in place between Prospect and its developer for this purpose.

- Staff, who had not previously received training, have now completed data protection training and Prospect are in the process of assessing how best to provide annual refresher training to all staff.
- Prospect employed an independent Data Security specialist to carry out a full security review. The report was finalised in March 2013 and Prospect are currently working to implement the recommendations arising from the Data Security review.

However Prospect should take further action:

- Prospect should complete its review of its policies, including the Data Protection Policy, as soon as possible. Prospect should also introduce an Information Security Policy as identified during the Data Security Review.
- Annual refresher training should be agreed and implemented as soon as possible.
- Prospect should implement the recommendations contained within the Data Security review report, specifically those in relation to Data Protection.

Date Issued: 15 May 2013

The matters arising in this report are only those that came to our attention during the course of the follow up and are not necessarily a comprehensive statement of all the areas requiring improvement. The responsibility for ensuring that there are adequate risk management, governance and internal control arrangements in place rests with the management of Prospect. We take all reasonable care to ensure that our Undertaking follow up report is fair and accurate but cannot accept any liability to any person or organisation, including any third party, for any loss or damage suffered or costs incurred by it arising out of, or in connection with, the use of this report, however such loss or damage is caused. We cannot accept liability for loss occasioned to any person or organisation, including any third party, acting or refraining from acting as a result of any information contained in this report.