

DATA PROTECTION ACT 1998

UNDERTAKING

Data Controller: Royal Borough of Windsor & Maidenhead

Town Hall
St Ives Road
Maidenhead
Berkshire
SL6 1RF

I, Mike McGaughrin, Managing Director of the Royal Borough of Windsor & Maidenhead (the 'Royal Borough') for and on behalf of the Royal Borough, hereby acknowledge the details set out below and undertake that it will comply with the terms of the following Undertaking:

1. The Royal Borough of Windsor & Maidenhead 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 Royal Borough and is hereafter 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 details of 257 individual employees, which should have been subject to restricted access, had been disclosed on the data controller's intranet in error. The incident occurred in January 2013 when a spreadsheet relating to individuals who had not signed a new employment contract was appended to a review document published for general employee access on the intranet rather than being added separately as a restricted item.
3. The incident itself was minor in that no sensitive personal data was included and the disclosure took place on the data controller's intranet, accessible only to employees. However, the Commissioner's investigation discovered that training in data protection and information security had not previously been a mandatory requirement for employees with access to personal data. It was further noted that the data controller's policies and procedures on the handling of personal data were incomplete.
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 or 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) The data controller shall review and revise its policies and procedures for the handling and use of personal data, especially in the area of information security, and shall bring these into operation by no later than 31 December 2013;**
- (2) All staff shall be made aware of the data controller's policies and procedures for the handling and use of personal data by no later than 31 December 2013;**
- (3) From 31 December 2013, all staff whose roles involve access to personal data shall be trained in data protection and the data controller's policies and procedures on commencing their employment. All existing staff whose roles involve access to personal data shall receive such training by no later than 31 December 2013. Such training shall be refreshed and updated regularly thereafter for all relevant staff, at intervals not exceeding two years;**
- (4) Compliance with the data controller's policies on data protection and with the above-mentioned training requirements shall be appropriately and regularly monitored and enforced;**
- (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 on publication

Signed
Mike McGaughrin, Managing Director
Royal Borough of Windsor & Maidenhead

Signed
Steve Eckersley, Head of Enforcement
For and on behalf of the Information Commissioner