

DATA PROTECTION ACT 1998

UNDERTAKING

Data Controller: Community Integrated Care

2 Old Market Court
Miners Way
Widnes
Cheshire
WA8 7SP

I, Neil Matthewman, Chief Executive, of Community Integrated Care, for and on behalf of Community Integrated Care hereby acknowledge the details set out below and undertake to comply with the terms of the following Undertaking:

1. Community Integrated Care 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 Community Integrated Care 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 informed by the data controller about the theft of a laptop, router and printer in June 2011 from a locked ground floor office in the Newcastle area. The data controller is a national social and healthcare charity. The laptop contained personal data relating to 20 employees, it also stored limited sensitive personal data relating to 20 young service users, including name, school and abbreviated details of their physical and mental disabilities.
3. The stolen laptop was password protected, but had not been encrypted. The Commissioner welcomes the data controller's proposal to improve physical security at its regional offices and implement encryption software on portable devices such as laptops as a result of this incident.
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. The Commissioner has also considered the fact that some of the data stolen in this incident consisted of information as to the physical or mental health or condition of the data subjects. Personal data containing such information is defined as "sensitive personal data" under section 2 (e) of 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 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. Physical security measures are adequate to prevent unauthorised access to personal data;
3. Staff are aware of the data controller's policy for the retention, storage and use of personal data and are appropriately trained how to follow that policy;
4. The data controller shall implement appropriate secure back-up solutions for electronic personal data stored on portable media;
5. The data controller shall implement such other security measures as are appropriate to ensure that personal data is protected against unauthorised and unlawful processing, accidental loss, destruction, and/or damage.

Dated.....

Signed.....

Neil Matthewman
Chief Executive
Community Integrated Care

Signed.....

Stephen Eckersley
Head of Enforcement
For and on behalf of the Information Commissioner