

DATA PROTECTION ACT 1998

UNDERTAKING

Data Controller: Isle of Anglesey County Council

Council Offices
Llangefni
Anglesey
LL77 7TW

I, Richard Parry Jones, Chief Executive of Isle of Anglesey County Council (the 'Council') for and on behalf of the Council, hereby acknowledge the details set out below and undertake to comply with the terms of the following Undertaking:

1. Isle of Anglesey County Council 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 Council 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 reports of several incidents in early 2012, in which documents containing personal data were either inappropriately disclosed or disposed of, or put at risk of unauthorised access. In only one of these incidents was any sensitive personal data included and it was noted that the recipients of those documents returned them to the data controller and confirmed no copies had been retained. There has been no evidence of any detriment to individuals as a result of any of these incidents.
3. The Commissioner's investigation revealed that the data controller's Data Protection Policy was outdated and did not provide sufficiently detailed guidance. It was also discovered that the only mandatory training in data protection matters was a basic overview provided at induction. The data controller indicated that it intended to review its policies and guidance, and would also review training.
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 involved in one incident consisted of information as to the physical 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 agreed 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 Seventh Data Protection Principle in Part I of Schedule 1 to the Act; and, in particular, that:

- (1) The data controller shall review and update its policy for the storage and use of personal data, and shall draft a policy on the retention and disposal of such data; such documents to be approved and operational by no later than 1 March 2013;**
- (2) All staff whose role involves access to personal data shall be made aware of the data controller's policies for the storage, use, retention and disposal of personal data and appropriately trained how to follow such policies (and any service-specific guidance) by no later than 1 May 2013;**
- (3) Compliance with the data controller's policies on data protection shall be appropriately and regularly monitored once these are implemented;**
- (4) 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, and shall provide the Commissioner with details of such steps (if any) on request.**

Dated (on publication)

Signed
Richard Parry Jones
Chief Executive
Isle of Anglesey County Council

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