

DATA PROTECTION ACT 1998

UNDERTAKING

Data Controller: Aspers (Milton Keynes) Limited

Unit 19 (Ground Floor)
602 Marlborough Gate
Central Milton Keynes
Milton Keynes
MK9 3XA

I, Damian Aspinall, Chief Executive of Aspers (Milton Keynes) Limited for and on behalf of Aspers (Milton Keynes) Limited hereby acknowledge the details set out below and undertake to comply with the terms of the following Undertaking:

1. Aspers (Milton Keynes) Limited 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 Aspers (Milton Keynes) Limited 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 by the data controller which advised that an email had been sent to an unauthorised third party. The email contained the personal data of 219 employees including their bank details, date of birth, national insurance number and home address.
3. The data controller advised that a new office had opened, and the individual concerned was attempting to communicate the relevant personal data to central payroll. In doing so, the employee has sent the email to an incorrect email address, an individual outside of the organisation. The employee realised their mistake immediately and unsuccessfully attempted to recall the email. The data controller has confirmed that the third party has since been contacted, and has confirmed complete deletion of the email.
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 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 ensure that an appropriate Data Protection Policy and Email Policy is drafted and implemented;**
- (2) Staff are aware of the data controller's policy for the appropriate use of emails and use of personal data, and are appropriately trained how to follow that policy;**
- (3) The data controller shall ensure that all employees who handle personal data receive regular data protection training;**
- (4) 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.**

Signed:

Damian Aspinall
Chief Executive
Aspers (Milton Keynes) Limited

Dated:

Signed:

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

Dated: