

MARKS & SPENCER

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The Information Commissioner
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
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Date 08/07/2008

Dear Information Commissioner

You will recall that on 5th October 2007 we notified you through our solicitors that Marks & Spencer had embarked upon a process of laptop hard drive encryption. On 13th June 2008 you enquired as to the progress made.

I am writing to advise you that this programme has been completed, using an encryption product supplied by Utimaco. Throughout this process we have been advised and assisted by a group of industry specialists, including Morse, Computacenter and Field Fisher Waterhouse LLP.

The programme has proceeded on the basis that all Marks & Spencer laptops should be encrypted irrespective of the nature of the data held on them. As such we consider that we have adopted a methodology that extends further than the parameters of the seventh data protection principle. In addition, our programme has extended to foreign jurisdictions that we consider do not fall within the scope of the Data Protection Act.

In total we have encrypted 4532 laptops. These break down as follows:

Location	Number
UK	4030
Bangladesh	12
China	32
Hong Kong	117
India	37
Morocco	6
Per Una Hong Kong	6
Per Una Italy	4
Per Una UK	140
Sri Lanka	32
Turkey	85
Miscellaneous	31

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(England and Wales)

Marks & Spencer will continue to ensure that personal data stored on laptops, including those which are acquired in the future, are encrypted by cryptographic modules that comply with FIPS 140-2 or an equivalent standard and will update its encryption as necessary, in so far as the same is required by law.

Yours sincerely



Darrell Stein
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