



**Information Commissioner's Office**  
Promoting public access to official information  
and protecting your personal information

## **Press Release**

**Date: 25 January 2008**

### **ICO takes enforcement action against Marks & Spencer - M&S ordered to encrypt all hard drives by April 2008 -**

The Information Commissioner's Office (ICO) has found Marks & Spencer (M&S) in breach of the Data Protection Act. This follows the theft of an unencrypted laptop which contained the personal information of 26,000 M&S employees.

An ICO investigation revealed that the laptop, which contained details of the pension arrangements of M&S employees, was stolen from the home of an M&S contractor. In light of the nature of the information contained on the laptop, it is the ICO's view that M&S should have had appropriate encryption measures in place to keep the data secure.

Mick Gorrill, Assistant Commissioner at the ICO, said: "It is essential that before a company allows personal information to leave its premises on a laptop there are adequate security procedures in place to protect personal information, for example, password protection and encryption. The ICO has issued clear guidance to help employers understand their obligations under the Data Protection Act.

"Organisations which process personal information must ensure that information is secure – this is an important principle of the Act. If organisations fail to introduce safeguards to protect information they risk losing the trust and confidence of both employees and customers."

The ICO has now issued M&S with an Enforcement Notice which orders the company to ensure that all laptop hard drives are fully encrypted by April

2008. Failure to comply with the Enforcement Notice is a criminal offence and may result in the ICO taking further action against the company.

Last year Gordon Brown announced that the ICO would be given increased powers to conduct spot checks of government departments. The Information Commissioner has called for these powers to be extended to cover all public bodies and private sector organisations.

A copy of the Enforcement Notice can be downloaded at [www.ico.gov.uk](http://www.ico.gov.uk).

## **ENDS**

If you need more information, please contact the Information Commissioner's press office on 020 7025 7580 or visit the website at: [www.ico.gov.uk](http://www.ico.gov.uk)

### **Notes to Editors**

1. The Information Commissioner promotes public access to official information and protects personal information. The ICO is an independent body with specific responsibilities set out in the Data Protection Act 1998, the Freedom of Information Act 2000, Environmental Information Regulations 2004 and Privacy and Electronic Communications Regulations 2003.
2. For more information about the Information Commissioner's Office subscribe to our e-newsletter at [www.ico.gov.uk](http://www.ico.gov.uk)
3. Anyone who processes personal information must comply with eight principles, which make sure that personal information is:
  - Fairly and lawfully processed
  - Processed for limited purposes
  - Adequate, relevant and not excessive
  - Accurate and up to date
  - Not kept for longer than is necessary
  - Processed in line with your rights
  - Secure
  - Not transferred to other countries without adequate protection