



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

Press Release

For immediate release

22 January 2009

ICO takes enforcement action against the Home Office for serious data breach

The Information Commissioner's Office (ICO) has found the Home Office in breach of the Data Protection Act after a contractor, PA Consulting, lost an unencrypted memory stick holding sensitive personal details of thousands of individuals in August 2008. Details lost included information about individuals serving custodial sentences and those who had previously been convicted of criminal offences.

The ICO has required the Home Office to sign a formal [Undertaking](#) outlining that the Department will process personal information securely in future. The Undertaking has been signed on behalf of the Home Office by Sir David Normington, the Permanent Secretary.

The Home Office will implement a number of security measures to protect personal information more effectively. With immediate effect, all portable and mobile devices which are used to store and transmit personal information must be encrypted. Any organisation processing personal information on behalf of the Home Office must also use encryption software, a requirement which must be clearly stated in all contracts.

Mick Gorrill, Assistant Information Commissioner at the ICO, said: "We are investigating a number of the most serious reported data breaches. This case was serious because it involved thousands of individual records, which contained sensitive information on people serving custodial sentences and others previously convicted of criminal offences. This breach illustrates that even though a contractor lost the data, it is the data controller (the Home Office) which is responsible for the

security of the information. It is vital that sensitive personal information is handled properly and held securely at all times.

“The Data Protection Act clearly states that organisations must take appropriate measures to ensure that personal information is kept secure. The Home Office recognises the seriousness of this data loss and has agreed to take immediate remedial action. It has also agreed to conduct future audits to ensure compliance with the Act.”

Failure to meet the terms of the Undertaking is likely to lead to further enforcement action by the ICO. A copy of the Undertaking can be downloaded from http://www.ico.gov.uk/upload/documents/library/data_protection/notices/home_office_undertaking.pdf

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If you need more information, please contact the ICO press office on 020 7025 7580 or visit the website at: www.ico.gov.uk

Notes to Editors

1. The Information Commissioner’s Office has ordered a number of organisations to sign undertakings following breaches of the Data Protection Act. Organisations include the Department of Health, Foreign and Commonwealth Office and Orange Personal Communications Services Ltd.
2. In response to the data loss, an internal investigation was launched by the Home Office. In addition, a report was produced by Dr Stephen Hickey to ensure appropriate action by the Home Office had been taken or planned and comprehensive lessons had been learned from the incident.
3. The ICO 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.
4. For more information about the Information Commissioner’s Office subscribe to our e-newsletter at www.ico.gov.uk
5. 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