



Information Commissioner's Office

## Press Release

For immediate release

18 January 2010

### **Social work records found in second-hand filing cabinet**

The Information Commissioner's Office (ICO) has found Lancashire County Council in breach of the Data Protection Act after social work records containing sensitive personal data relating to several individuals were found in a filing cabinet purchased second-hand by a member of the public.

The records were duplicates of documents held in the council's offices and had apparently been used by a social worker during active casework duties. The files contained an extensive amount of personal data including information about the ethnicity, religious beliefs and physical or mental health conditions of individuals. In one instance, the data provided an almost complete picture of the individual's life.

Chief Executive of Lancashire County Council, Ged Fitzgerald, has now signed an [Undertaking](#) promising to implement a formal written procedure for the removal or disposal of any office furniture or equipment. The Undertaking also requires staff to be made aware of the council's policies for the storage, use and disposal of personal information and for the appropriate training to be provided.

Sally-anne Poole, Head of Enforcement at the ICO, said: "This incident highlights the importance of having the necessary safeguards in place to ensure personal information is disposed of securely. Organisations need to have the appropriate policies in place and staff need to be aware of these policies to ensure personal information is stored securely. I am pleased that Lancashire County Council is taking action to prevent a similar situation occurring in the future."

The Undertaking can be viewed here

[http://www.ico.gov.uk/upload/documents/library/data\\_protection/notices/lancs\\_cc\\_undertaking.pdf](http://www.ico.gov.uk/upload/documents/library/data_protection/notices/lancs_cc_undertaking.pdf)

## **ENDS**

If you need more information, please contact the ICO 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 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) All staff are aware of the data controller's policies for the storage, use and disposal of personal data and are appropriately trained how to follow that policy;
- (2) A formal written procedure is produced and implemented to ensure that any office furniture or equipment which is to be moved or disposed of in future is properly checked for personal data, and that such personal data as may be found is securely removed or deleted prior to such removal or disposal;
- (3) 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.

2. The Information Commissioner's Office upholds information rights in the public interest, promoting openness by public bodies and data privacy for individuals.

3. 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](http://www.ico.gov.uk). Alternatively, you can find us on Twitter at [www.twitter.com/ICOnews](http://www.twitter.com/ICOnews)

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

