

DATA PROTECTION ACT 1998

UNDERTAKING

Data Controller: Rainforest Alliance Ltd

Winchester House
259-269 Old Marylebone Road
London
NW1 5RA

I, Mohammad Rafiq, Senior Vice-President (Programmes) of Rainforest Alliance Ltd, for and on behalf of Rainforest Alliance Ltd, hereby acknowledge the details set out below and undertake to comply with the terms of the following Undertaking:

1. Rainforest Alliance Ltd 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 Rainforest Alliance Ltd, 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 of the theft of an unencrypted laptop holding personal and financial data relating to employees of the data controller and job applicants. The laptop was being used outside the office environment by a manager, with the data controller's knowledge and authority, and was stolen from a relative's home in a domestic burglary.
3. The laptop was protected by a password, and the data files were also password-protected but not encrypted. It also emerged that only some of the data had been backed up to the office server and the data controller had not provided adequate guidance on physical security measures for those working outside the office.
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) All portable and mobile devices including laptops and other portable media used to store and transmit personal data, the loss of which could cause damage or distress to individuals, are encrypted using encryption software which meets the current standard or equivalent;**
- (2) The data controller shall draft and implement a policy for the storage and use of personal data in compliance with the Act and ensure that all staff are made aware of, and appropriately trained how to follow that policy;**
- (3) Compliance with the data controller's policies on data protection and IT security issues is appropriately and regularly monitored;**
- (4) 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.**

Dated

Signed
Mohammad Rafiq
Senior Vice-President (Programmes)
Rainforest Alliance Ltd

Signed
Mick Gorrill
Head of Enforcement
For and on behalf of the Information Commissioner