

**Data Protection Act 1998
Undertaking follow-up**

**Treasury Solicitor's Department
ICO Reference: ENF0462982**

On 27th August 2014 the Information Commissioner's Office (ICO) conducted a follow-up assessment of the actions taken by the Treasury Solicitor's Department (TSol) in relation to the undertaking it signed on 19th February 2014.

The objective of the follow-up is to provide the ICO with a level of assurance that the agreed undertaking requirements have been appropriately implemented. We believe that appropriate implementation of the undertaking requirements will mitigate the identified risks and support compliance with the Data Protection Act 1998.

The follow-up assessment consisted of a desk based review of the documentary evidence TSol supplied to demonstrate the action it had taken in respect of the undertaking requirements. This included a guidance document on dealing with disclosure of personal data to third parties, and arrangements for authorisation with associated annexes and notes to facilitate discussion around the ICO's 'Data Day Hygiene' training video.

The review demonstrated that TSol has taken appropriate steps and put plans in place to address some of the requirements of the undertaking, however further work needs to be completed to fully address the agreed actions.

TSol confirmed that it has taken the following steps:

- A documented procedure has been created for staff preparing information for disclosure to ensure that third party personal data and sensitive third party personal data are redacted appropriately.
- It is now clear, within the procedure document that line manager or senior staff sign off is required before a disclosure is made.

However TSol should take further action as follows:

- Current data protection training for staff should include content specific to the organisation's own information security and data protection related policies and procedures and should include a test element to ensure understanding.
- Training material should be reviewed and updated periodically so that it is up to date with changes in legislation, ICO guidance and organisational policy.

- Refresher training should be provided at appropriate intervals to remind staff of their data protection responsibilities.

Date Issued: 11th September 2014

The matters arising in this report are only those that came to our attention during the course of the follow up and are not necessarily a comprehensive statement of all the areas requiring improvement.

The responsibility for ensuring that there are adequate risk management, governance and internal control arrangements in place rests with the management of the Treasury Solicitor's Department.

We take all reasonable care to ensure that our Undertaking follow up report is fair and accurate but cannot accept any liability to any person or organisation, including any third party, for any loss or damage suffered or costs incurred by it arising out of, or in connection with, the use of this report, however such loss or damage is caused. We cannot accept liability for loss occasioned to any person or organisation, including any third party, acting or refraining from acting as a result of any information contained in this report.