



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

Mr D Newton, Asst Director - ICT
Epping Forest District Council
Civic Offices
High Street
Epping
CM16 4BZ

19 January 2010

Case Reference Number COM0280537

Dear Mr Newton

I refer to your email reporting to the Information Commissioner's Office (ICO) that personal data relating to five applicant taxi drivers was inappropriately disclosed on the Council's website on 24 November 2009.

You indicated that the personal data comprised name, address, phone number(s), photograph, NI number, driving licence details, driving history and signature for each of the five applicants, but did not give any further details about this incident. As I am sure you will appreciate, it is not possible for me to reach a decision as to what action, if any, the ICO should take without further information from you.

On its face, this incident appears to reveal a breach of the Data Protection Act 1998 (the Act) by the Council, in that unauthorised disclosure of personal data has potentially taken place. For your information, I should point out that the ICO investigates all reported breaches of the Act by reference primarily to the likelihood of detriment (ie damage or distress) being caused to those individuals whose personal data is or might be compromised. In this instance, the nature and amount of personal data disclosed would be of great assistance to any potential identity fraudsters, and the case is therefore considered serious.

Your report does not indicate whether any check was made to ascertain whether or not these application details were inappropriately accessed during the time they were available online – was this done? If so, I require confirmation of the outcome and, if not, the reasons for this decision. I will also require written confirmation from you that the personal data mentioned is no longer accessible by unauthorised persons, and a timeline stating for how long the data was accessible.



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In addition to the above, I require the following:

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| | <p>A copy of the taxi driver application form (a blank, specimen copy will suffice);</p> <p>A copy of the Council's procedures for dealing with such applications – with any amendments made or proposed as a result of this incident clearly marked; <input type="checkbox"/></p> <p>A copy of the Council's data protection and IT security policies, with any other relevant policies or procedures;</p> <p>A copy of the letter sent to each of the affected individuals, with details of any complaints received as a result and how these have been handled (again, copies of correspondence would be most useful); ▼</p> <p>A copy of any internal investigation report, with details of recommendations made and status of implementation of these;</p> <p>Details of all steps taken to prevent any recurrence of such an incident;</p> <p>Details of staff training in data protection issues – specifically:</p> <ul style="list-style-type: none">- when such training is administered (eg at induction, annually);- how it is delivered (eg handouts, face to face, e-learning);- whether any test is administered to check understanding;- whether the training is regularly updated/refreshed and, if so, how frequently;- whether such training is on a mandatory or voluntary basis. <p>(copies of any training materials used would be most helpful).</p> |
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If you require clarification of these points, or have good reasons why the deadline stated below is not achievable, please contact me.

Otherwise, I require a formal response to these enquiries by no later than 5 February 2010, and therefore look forward to hearing from you further.

Yours sincerely

Diane Slater
Enforcement Officer