

News release

9 June 2011

ICO issues monetary penalty over misdirected emails

The Information Commissioner's Office (ICO) today served Surrey County Council with a monetary penalty of £120,000 for a serious breach of the Data Protection Act after sensitive personal information was emailed to the wrong recipients on three separate occasions.

Christopher Graham, UK Information Commissioner said:

"This significant penalty fully reflects the seriousness of the case. The fact that sensitive personal information relating to the health and welfare of 241 vulnerable individuals was sent to the wrong people is shocking enough. But when you take into account the two similar breaches that followed, it is clear that Surrey County Council failed to fully address the risks of sending sensitive personal data by email until it was far too late."

The first incident and most significant of the three, took place on 17 May last year. A member of staff working for one of the council's Adult Social Care Teams emailed a file containing sensitive personal information relating to 241 individuals' physical and mental health to the wrong group email address.

The group email address included a large number of transportation companies, including taxi firms, coach and mini bus hire services. The council attempted to recall the email, but was later unable to confirm that all the recipients had destroyed it. As the information was not encrypted

or password protected, it had the potential to be viewed by a significant number of unauthorised individuals.

A second misdirected email sent on 22 June 2010 lead to confidential personal data relating to a number of individuals being mistakenly emailed to over one hundred unintended recipients who had, in fact, registered to receive a council newsletter.

In a third incident, the council's Children Services department sent confidential sensitive information, which included data relating to an individual's health, to the wrong internal group email address on 21 January 2011. While the data did not leave the council's network this breach led to sensitive data being circulated to individuals who should not have received it.

The penalty of £120,000 recognises the council's failure to ensure that it had appropriate security measures in place to handle sensitive information.

Christopher Graham, UK Information Commissioner continued:

"Any organisation handling sensitive information must have appropriate levels of security in place. Surrey County Council has paid the price for their failings and this case should act as a warning to others that lax data protection practices will not be tolerated."

Following the incidents the council has taken action to improve its policies on information security. This includes the development of an early warning system which alerts staff when sensitive information is being sent to an external email address. The council has also improved the training it provides to its staff and will ensure that any group email addresses are clearly identifiable.

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If you need more information, please contact the ICO press office on 0303 123 9070 or visit the website at: www.ico.gov.uk.

Notes to Editors

1. The monetary penalty served to Surrey County Council is available on the ICO website here:
http://www.ico.gov.uk/what_we_cover/promoting_data_privacy/taking_action.aspx
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 has 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. The ICO is on [Twitter](#), [Facebook](#) and [LinkedIn](#), and produces a monthly [e-newsletter](#). Our [For the media](#) page provides more information for journalists.
5. Anyone who processes personal information must comply with eight principles of the Data Protection Act, 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