

**From:** [REDACTED]  
**To:** [Website Updates](#)  
**Cc:** [REDACTED]; [ICO Press Office](#)  
**Subject:** M&S release  
**Date:** 25 January 2008 11:21:57  
**Attachments:** [MandS EN final.doc](#)  
[Marks and Spencer.doc](#)

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Good morning,

Please find attached the final release and web form relating to the M&S enforcement action.

Kind regards,

[REDACTED]

ICO Press Office  
020 7025 7580  
[icopressoffice@trimediauk.com](mailto:icopressoffice@trimediauk.com)

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# Website update form

This form is to be used for preparing all content changes and/or document(s) for the ICO website. Please forward your completed form to your CMG representative, who will email it to [website updates](#).

Referring documents: When filling out the template please consult the latest version of the following website update documents and ensure the document includes the [ICO logo](#):

- [Website update procedure](#)
- [CMG members & departments](#)
- [Website priority policy](#)
- [Publication categories](#)

When you have filled out this form please save it to your own drive first, attach it to an email and send it to [websiteupdates@ico.gsi.gov.uk](mailto:websiteupdates@ico.gsi.gov.uk)

## Today's date

## Date needed on the website

## Priority

## Review date/removal/archive date\*

\* Please delete as appropriate

## Publication category level

### PRIORITY CRITERIA

**A** – For **IMMEDIATE** update: potential risk to ICO's reputation if update is not completed ASAP.

**B** – **Time-sensitive** materials (news releases, job adverts, FOI decisions), must be requested in **good time**.

**C** – **Potential** risk documents – to be done at Online Teams' earliest convenience.

**D** – **Publication Scheme** amends.

**E** – **Routine** materials.

### PUBLICATION CATEGORIES

**1 – Introductory** - this conveys the main principles. People who read this should have a clear understanding of their basic rights or obligations, and understand what the ICO can and cannot do for them. If this is all they read, they will have a good idea what to expect or what is expected of them.

**2 – Practical Application** – this demonstrates how the principles might work in commonplace situations. People who read this should have a clear understanding of how to apply the Acts in their particular situation. If this is all they read, they will have an understanding of what we recommend as good practice in specific conditions.

**3 – Detailed / Specialist**- This is the most detailed information. People who read this want a clear idea of the details of the law. They may have a special interest or a particular problem. If this is all they read, they will have an in-depth knowledge of a specific issue, situation or part of the law.

## Page creator/Author (Name, job title, department)

FOIA s.40(2) - Personal, Press Office

## CMG member sign off (Name, job title, department)

Mick Gorrill

## Page heading:

This is the actual title that appears or you want to appear above your document/text.

### **ICO takes enforcement action against Marks & Spencer**

## URL of where on the website:

Cut and paste the web address from the browser of the relevant page into this space. Please don't just provide a link to the document library – please provide a link to the actual page it is needed on, e.g. policy committee minutes go under;  
[http://www.ico.gov.uk/Home/about\\_us/who\\_we\\_are/corporate\\_information/policy\\_committee.aspx](http://www.ico.gov.uk/Home/about_us/who_we_are/corporate_information/policy_committee.aspx)

## Section of the Document library:

Please highlight the appropriate section and then highlight the appropriate sub-section for required storage of the document.

(For example if a press release needs to be added the following two sections will be highlighted ;)

- Data protection
- Privacy and electronic communications
- Freedom of information
- Environmental information regulation
- Corporate
  
- Introductory
- Practical application
- Detailed specialist guides
- Forms
- Research and reports
- Notices
- Press releases

## Summary text

Please add any summary text you wish to include along side your link – this is needed for press releases and good practice notes.

The Information Commissioner's Office (ICO) has found Marks & Spencer (M&S) in breach of the Data Protection Act. This follows the theft of an unencrypted laptop which contained the personal information of 26,000 M&S employees.

### What is needed?

Please state what you would like the online team to do for example add content, delete content, add a document, replace a document, is an email alert required?) All content which requires new pages **must** be discussed with the Online Team. If you want to amend existing text, please cut and paste the text from the existing website and identify your amends as follows:

- BLACK for original text, BLUE for links (duplicated from the website)
- deletions in RED
- additions and amendments in GREEN, new links UNDERLINED

### Document / External sites to link to:

As per the page breakdown and ICO recommendations, these are the links that will appear at the bottom of each page on the website under 'relevant downloads'.

### Page signoff:

This has been signed off by <Mick Gorrill>. Highlight answer.

YES / NO

DATE

YES / NO

25/01/08

If the amendments affect ICO printed publications please inform the [Communications Planning Team](#).



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

## **Press Release**

**Date: 25 January 2008**

### **ICO takes enforcement action against Marks & Spencer - M&S ordered to encrypt all hard drives by April 2008 -**

The Information Commissioner's Office (ICO) has found Marks & Spencer (M&S) in breach of the Data Protection Act. This follows the theft of an unencrypted laptop which contained the personal information of 26,000 M&S employees.

An ICO investigation revealed that the laptop, which contained details of the pension arrangements of M&S employees, was stolen from the home of an M&S contractor. In light of the nature of the information contained on the laptop, it is the ICO's view that M&S should have had appropriate encryption measures in place to keep the data secure.

Mick Gorrill, Assistant Commissioner at the ICO, said: "It is essential that before a company allows personal information to leave its premises on a laptop there are adequate security procedures in place to protect personal information, for example, password protection and encryption. The ICO has issued clear guidance to help employers understand their obligations under the Data Protection Act.

"Organisations which process personal information must ensure that information is secure – this is an important principle of the Act. If organisations fail to introduce safeguards to protect information they risk losing the trust and confidence of both employees and customers."

The ICO has now issued M&S with an Enforcement Notice which orders the company to ensure that all laptop hard drives are fully encrypted by April

2008. Failure to comply with the Enforcement Notice is a criminal offence and may result in the ICO taking further action against the company.

Last year Gordon Brown announced that the ICO would be given increased powers to conduct spot checks of government departments. The Information Commissioner has called for these powers to be extended to cover all public bodies and private sector organisations.

A copy of the Enforcement Notice can be downloaded at [www.ico.gov.uk](http://www.ico.gov.uk).

## **ENDS**

If you need more information, please contact the Information Commissioner's 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 Information Commissioner promotes public access to official information and protects personal information. 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.
2. For more information about the Information Commissioner's Office subscribe to our e-newsletter at [www.ico.gov.uk](http://www.ico.gov.uk)
3. 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