

## **ICO issues its first fine to a charity for data protection breach**

The Information Commissioner's Office announced on 10 October 2012 that it had fined the charity Norwood Ravenswood Ltd £70,000 for a breach of data protection rules.

A social worker who worked at Norwood Ravenswood Ltd left documents containing highly sensitive information about four young children outside the home of prospective adoptive parents in London as the couple were not at home. When the couple returned the documents were gone and have not since been recovered.

The ICO investigation discovered that the social worker had not received data protection training which breached the charity's own data protection policy, and had received no guidance on how to send personal data securely to prospective adopters. The ICO were critical of the charity, highlighting that it was "truly staggering" that no training had been provided and that the "breach was entirely avoidable."

This is the very first time that the ICO has issued a fine to a charity. The ICO has said that it does not want to issue fines against charities but that it is left no choice but to do so when such serious breaches occur. This case follows a warning issued by the ICO during the summer to charities about the implications of data protection, highlighting that charities are potentially more susceptible to a serious data breach than many other organisations are, as they will often be handling sensitive information.

Charities and their staff should familiarise themselves with the eight data protection principles, which include processing data fairly and lawfully and putting in appropriate measures to ensure against accidental loss or destruction of, or damage to, personal data.

[Click here](#) for further details.

The ICO has said that it is keen to support charities, and has issued specific guidance for charities in relation to their legal requirements on data protection legislation. The ICO is also offering advisory visits to charities.

The charity's Chief Executive Officer, Elaine Kerr was critical of the fine describing it as "disproportionate" and stating that the breach occurred through an "obvious lapse of judgement" by a single individual and not because of a lack of training. Elaine Kerr had suggested that the charity was considering appealing the fine, However, no appeal is listed at the Information Rights Tribunal, with the deadline for submission having been 12 November.

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