

Data security complaint: assessment by the ICO

Registrants will be aware that a complaint was made to the Information Commissioner (ICO) in 2005, concerning access to the Register. The ICO found (March 2006) that NRPSI was likely to have contravened the First Data Protection Principle for not providing the necessary fair processing information when the Register was made available under licence to non-public service organisations. The ICO approved the remedial action proposed by NRPSI, which was immediately put into effect.

A second complaint was made in July 2007, by some registrants, suggesting that NRPSI had allowed more non-public service organisations access to the register than was apparent in the original complaint, and had not properly considered the security of the data. The ICO therefore decided to look again at the potential data protection issues, and has now made its assessment (December 2007). The assessment of the ICO is that:

“there is unlikely to have been a contravention of the 7th Data Protection Principle by NRPSI Ltd”.

The ICO letter further states that “No firm evidence has been provided to the Information Commissioner to support the view that unlicensed organisations are using the NRPSI register” and concludes “this issue has now been looked at twice and it is not envisaged that any further action will be taken regarding this matter.”

NRPSI is pleased to have received this determination.