

## **Breaches of Data Protection Act**

26 February 2014

Further to my email of 12 February 2014, I am now in a position to respond to your request for information of 11 February 2014 which was:

*With regard to the Freedom of Information Act, I'd like to know how many times Wales Audit Office breached the Data Protection Act in 2013. In every case, I'd like to know how the act was breached, and what steps were taken against the staff member responsible. I'd also like to know how many cases were recorded in 2013 of staff misusing social media sites such as Facebook, Twitter etc, be that in the workplace or outside. In each case, describe the misuse, note which website it was and what steps were taken against the staff member.*

According to our records, there have been no breaches of the Data Protection Act in 2013. There was one recorded case of misuse of social media sites in 2013, which was "inappropriate posting on Facebook which may have upset colleagues". In respect of your request for "what steps were taken against the staff member", I am applying the section 40(2) exemption (personal information) of the Freedom of Information Act, which is an absolute exemption. The exemption applies because disclosure would breach the data protection principles of the Data Protection Act 1998.

If you wish to complain about my handling of your request, please email or write to me.

I must also refer you to section 50 of the Freedom of Information Act under which you may apply to the Information Commissioner for a decision on whether or not your request has been dealt with in accordance with the Act. The Information Commissioner's contact details are:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF  
email : [casework@ico.gsi.gov.uk](mailto:casework@ico.gsi.gov.uk)

Tel: 01625 545745

Fax: 01625 524510

You should note, however, that the Information Commissioner would normally expect you to have exhausted our internal complaints procedures before dealing with such an application. Further guidance may be found on the Information Commissioner's website <http://www.informationcommissioner.gov.uk>.

If you have any queries, please do not hesitate to contact me.

Yours sincerely

Ian Phillips