

This is a summary of the decision of the Commissioner.

IN THE MATTER OF:-

Complainant {An individual}

VERSUS

Respondent {A co-operative credit union}

The Data Protection Office received a complaint whereby Complainant alleged that Respondent was allowing a simple member to access secure parts of the office, official documents and members' files and to assist loan committees where loan applications from members are considered. The Complainant also argued that the Board was contravening Section 29.7 of the Rules of the Society which stipulates that "No person other than members of the Board, the secretary, the treasurer and a designated member of the staff and the Registrar and his staff shall be present at any meeting of the Board when an application for a loan is under consideration". In this context, this office initiated an investigation and requested clarification from the Respondent. In its declaration, the Respondent stated that from 2013 to April 2016, the concerned individual was a member of the co-operative credit union before being appointed as consultant to the Board in May 2016 and as such, he could access to all documents and files. In addition, this office sought the views of the relevant ministry on this matter. The latter stated that the services of that person was needed and approved at an Annual General Meeting of members held on 06 March 2016, and there was no contravention of section 29.7 of the Rules of the Society since he was a designated staff. This office informed same to Complainant and requested the latter to notify this office of any further issues within a said deadline failing which the complaint would be closed.

The Data Protection Commissioner decided as follows:-

In view of the above enquiry, it is clear that no breach has occurred under the Data Protection Act and as such, the enquiry is closed to the satisfaction of all parties concerned.