

This is a summary of the decision of the Commissioner.

The Data Protection Office received a complaint by email from Complainant against Respondent for alleged disclosure of students' private information on the website of the Respondent as follows (with grammatical corrections):

"The kin of my friend has had the disagreeable surprise on the Respondent website and have asked me to lodge a complaint in their stead due to fear of possible retaliation through the remaining time of study or otherwise. They had the disagreement of finding all of their private information posted on the alumni pages of the website for the college, including private email, home address and numbers, date of birth, personal mobile number and even their ID and passport number.

...

This practice has been upheld since 2005 as upon clicking on the alumni list they came across other name and addresses and personal numbers of other siblings.

This information has no right to be on the site especially not at this level and in such details. Thus, they would be grateful if your department could have the college remove all those information and cease from such activities. And monitor the situation to ensure this is not repeated in the future."

Subsequently, this office wrote a letter to Respondent to inform Respondent of the complaint and requesting justifications regarding the disclosure of students' personal information on the alumni pages of its website.

Since the Data Protection Office did not get any reply regarding the above letter sent to Respondent, this office thus called Respondent by phone where it was informed that all letters which are addressed to the attention of the Chairman are opened by the latter himself and he was currently not in Mauritius.

By way of an email, the Data Protection Office requested the Principal of Administration of Respondent to be present at this office for a meeting and a copy of the above letter was also attached in the email.

This office received a reply from Respondent as follows:

" ...

1. *By now the College has produced more than 1000 graduates, who are scattered all across the world and few hundred of them are working in USA, UK, Canada, Australia, Singapore, South Africa and India etc and in most advanced hospitals across the Globe.*
2. *When our graduates approach for registration in the overseas countries, the respective Councils need to check their details.*

3. *It was, as per the request of many of our graduates, that such information was placed through Alumni list on the website so that it is available readily and saves time towards such credential verification.*
4. *It was also done, again as per request of many of our graduates, with a view to promote connectivity amongst our graduates scattered all over in the world , which helps them to connect with each other and helps them in exploring and promoting their career prospects by sharing information such as emerging openings, vacancies and opportunities.*
5. *Please be informed that if any particular student wishes that such information about him/her shall not be displayed, it is removed from the website. Though sometimes it so happens that such request mail sent by some student has not reached us/ gone to junk mail. It is requested that please send us the name of the graduate, who has approached you so that corrective action can be initiated at our end.*
6. *It is also informed that the tel no and email address of Mauritian students has been already removed from the Alumni list and DoB/Passport no. would also be removed soon.*
7. *You may much appreciate that such information has been mentioned with a view to help and promote the welfare and career growth of our graduates rather than with any motive or malice towards any individual or to cause any kind of harm /inconvenience to any of our graduates, who are and would remain a proud member of the Institution. "*

Given that Respondent did not turn up for the meeting, this office then emailed to Respondent to request the latter to:

1. register with the Data Protection Office as a data controller subject to section 33(2) of the Data Protection Act 2004 (DPA).
2. inform this office whether the Institution falls under any of the exceptions of section 24 of the DPA 2004 and to provide this office with justification.
3. In case exceptions are not applicable, Respondent was required to:
 - a. publish details of only those graduates who have consented or formally requested to have their information displayed on Alumni pages on the Institution website. E.g. if a graduate has requested to have their Name, Address displayed on the website only these information should be available online.
 - b. inform this office on the measures taken within 21 days following receipt of this email.

Respondent was also informed through the same email that this office has verified the Alumni pages and has observed that the Date of Birth, Email Address, Nationality, Address, ID/Passport No, Mobile and Phone number have been

removed. However, necessary should be done to remove the above information on another web page of the Respondent(the URL was provided to the latter).

As this office did not get any reply from Respondent regarding the above email, reminders were sent to the organisation by email itself.

Verifications were done on Respondent's website and this office observed that the excess information has been removed from the Alumni & Friends page. Subsequently, the Data Protection Office informed Complainant by way of an email that corrective actions have been taken by Respondent to remedy the matter.

Complainant replied to this office stating that: *"I would like to extend my thanks to you, your team and your organisation for looking into the matter and ensuring needful was done."*

This office emailed Respondent to:

1. inform the latter that verification was done on the website and we have noticed that corrective actions were taken.
2. Request Respondent to register as a controller with this office as per section 14 of the Data Protection Act 2017.

Reminders regarding the registration of Respondent with this office were sent to the latter by way of letters and emails. This office received the application for registration of Respondent, however, due to missing forms, the applications were not processed. Various follow-ups were made with Respondent regarding the missing applications forms. It is only in December 2018 that all forms were received and processed accordingly. Respondent is now registered as a controller with the Commissioner under sections 14 and 16 of the Data Protection Act 2017.

The Data Protection Commissioner has decided as follows:-

Corrective measures have been duly implemented by Respondent as per the recommendations of this office and to the satisfaction of all parties. The enquiry is thus closed and no offence has been found proven under the Data Protection Act. However, should Respondent have acted diligently regarding the queries from this office, this enquiry would have been completed in a lesser period of time.