

Data Breach Procedure

Approved:

Review:

This procedure sets out the steps to be followed in the event of a personal data breach, in line with UK GDPR and the Data Protection Act 2018.

1. What is a Data Breach?

A personal data breach is a security incident that leads to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.

Examples include:

- Emails sent to the wrong recipient
- Lost or stolen devices or paperwork
- Unauthorised access to council systems
- Personal data published in error

2. Reporting a Breach

All councillors and staff must report any suspected breach immediately to the Clerk.

The Clerk will:

- Record the breach
- Investigate what has happened
- Take immediate steps to contain the breach

3. Assessing the Risk

The Clerk will assess:

- What data is involved
- How sensitive the data is
- Who is affected
- The potential impact on individuals

This will determine whether the breach needs to be reported externally.

4. Reporting to the ICO

- Where a personal data breach is likely to result in a risk to the rights and freedoms of individuals, the Clerk (as Proper Officer) will report the breach to the Information Commissioner's Office (ICO).
- In the absence of the Clerk, this responsibility will fall to the Chair of the Council.
- This must be done within 72 hours of the council becoming aware of the breach.
- The Clerk will ensure that all required information is provided to the ICO and that a record of the report is retained.

5. Informing Individuals

If the breach is likely to result in a high risk to individuals, those affected will be informed without undue delay.

6. Containment and Recovery

Steps will be taken to:

- Recover lost data where possible
- Secure systems and prevent further breaches
- Review and improve procedures

7. Recording the Breach

All breaches must be recorded in a breach log, including:

- Date and nature of the breach
- Data involved
- Action taken
- Whether reported to the ICO
- Outcome

8. Review

The council will review breaches and update procedures where necessary to prevent recurrence.