

Rangeworthy Parish Council – General Data Protection Regulations Data Security Breach Policy

Action to be taken in the event of a Breach

Rangeworthy Parish Council has a responsibility under the Data Protection Act 1998 (DPA) to ensure appropriate and proportionate security of the personal data it holds as outlined under Principle 7 of the DPA. Rangeworthy Parish Council takes this duty very seriously. However, there may be an occasion where there is a suggested data security breach. In these circumstances the following procedure will be instigated:

- Notify the Parish Clerk – the Parish Clerk will become the Investigating Officer.
- The Parish Clerk will notify the Parish Council of the incident.

Containment & Recovery

The following will be addressed:

- Who will undertake the investigation and any containment exercise?
- How can the breach be dealt with – can it be contained by simply finding the lost piece of equipment, eg laptop, or access codes changed?
- Is there anything that can be done to recover any losses and limit any damage?
- Do the Police need to be informed?

Assessing the Risks

- What type of data is involved?
- How sensitive is the data? Some data is sensitive because of its personal nature, eg medical information, whilst other data is sensitive because of what might happen if it was misused, eg bank account details.
- If data has been lost or stolen, are any protections in place such as encryption – whether the device can have information removed remotely.
- What has happened to the data – if stolen is it possible that its use could be harmful to individuals.
- Regardless of what happened to the data, what could the data tell a third party about the individual?
- How many individuals' personal data is affected by the breach?
- Who are the individuals affected?
- What harm could come to those individuals?
- Are there any wider consequences to the loss? If the data includes bank details, consider contacting the banks as they may be able to assist in preventing fraudulent use.

Notification of Breaches

- Notify the Parish Clerk.
- We may need to notify the individual(s) affected. This should be decided on a case by case basis. If a decision is made to notify affected individuals, an acknowledgement should be issued to the data subject to advise that an investigation has commenced and what immediate steps have been taken to contain the situation.
- The decision to notify the ICO will rest with Rangeworthy Parish Council.
- Are there any other bodies that need to be notified?

Evaluation and Response

When all the information has been collated from the investigation the report should identify the following:

- Evaluate the risks and where they lie.
- How can the risks be minimised.
- Has the breach identified any weaknesses in security measures, how can this be rectified.
- Is staff aware of their duties?
- Should disciplinary action be considered? Where employees have contributed to or caused a data breach, then the circumstances should be investigated. Decisions of Line Managers should be recorded with reasons/justifications for those decisions and where appropriate refer to full Parish Council.