



Data Breach Policy

This document sets out the Council's policy in the instance of a data breach occurring. This policy sits alongside the Data Protection Policy and the Privacy Policy.

Vivien Little

Town Clerk

August 2021

DATA BREACH POLICY

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

1. Notifying the Information Commissioners Officer (ICO)

Currently, data breaches do not have to be routinely notified to the ICO or others, although the ICO recommends that it is good practice to do so. However, guidance states that organisations should notify the Information Commissioners Office of a breach where it is likely to result in a risk to the rights and freedoms of individuals or if it could result in discrimination, damage to reputation, financial loss, loss of confidentiality or any other significant economic or social disadvantage.

Data Breaches will be recorded using the ICO's online system, and the form attached below will be filled in in support of the recording:

<https://ico.org.uk/for-organisations/report-a-breach/>

2. Notifying the individual concerned

If a breach is likely to result in a high risk to the rights and freedoms of individuals (such as through identify theft) the Town Clerk will notify those concerned.

3. Timescales

Under GDPR, we are required to report a personal data breach which meets the reporting criteria within 72 hours to the Information Commissioner. In line with the accountability requirements, all data breaches must be recorded by Keswick Town Council along with details of actions taken. This record will help identify system failures and should be used to improve the security of personal data.

4. Notifying the Council

If anyone (including a third party such as a payroll provider) suspects that a data breach has occurred then details of the alleged breach should be submitted immediately in writing to:

Vivien Little, Town Clerk, Keswick Town Council, 50 Main Street, Keswick, CA12 5JS

Email: townclerk@keswicktowncouncil.gov.uk

Adopted 19 August 2021

Next Review August 2022

About the incident	
Date and time of incident	
Where did the incident occur?	
Date (and time where possible) of notification to the organisation	<i>If there was any delay in reporting the incident, please explain why this was</i>
Who notified us of the incident?	
Describe the incident in as much detail as possible, including dates, what happened, when, how and why?	<i>Include names of staff and data subject(s). Identifying information will be anonymised for any reporting purposes</i>
Recovery of the data	
What have you done to contain the incident?	<i>e.g. limiting the initial damage, notifying the police of theft, providing support to affected data subjects</i>
Please provide details of how you have recovered or attempted to recover the data, and when	<i>Consider collecting the lost data, rather than relying on an unintended recipient to dispose of it</i>
About the affected people (the data subjects)	
How many individuals' data have been disclosed?	
Are the affected individuals aware of the incident?	
If so, what was their reaction?	
When and how were they made aware/informed?	

Have any of the affected individuals made a complaint about the incident?	
Are there any potential consequences and/or adverse effects on the individuals? What steps have been taken/planned to mitigate the effect?	
Your name and contact details:	
Action taken	
Information Commissioner informed? Time and method of contact https://report.ico.org.uk/security-breach/	