



Broomfield Parish Council

Data Breach procedure

Broomfield Parish Council has a responsibility to ensure personal information is kept and used securely. If anything goes wrong and, for example, data is lost, stolen, misused, sent to the wrong address or inappropriately accessed or released, the parish council has a responsibility to put things right.

All suspected incidents relating to breaches of data security must be reported to the Parish Clerk. This will alert the Parish Clerk to conduct a full investigation so that areas of weakness are identified, and improvements can be made. It also enables the Parish Clerk to take a decision as to whether the incident should be reported to the Information Commissioner's Office (ICO) as a data breach. Reporting to the ICO must be done within 72 hours of discovery, therefore all suspected incidents must be reported to the Parish Clerk as soon as they are discovered.

When sensitive information has been put at risk, but has not actually been lost, stolen, misused or inappropriately accessed or released, it may not be an incident that needs to be reported to the ICO however it is not good practice. For example, a member of staff taking sensitive information home without authority but returning it safely the next day would have put data at risk. The Parish Clerk will still put measures in place to prevent a recurrence.

All staff and councillors are to be made aware of this procedure.

Procedure

All identified incidents must be reported to the Parish Clerk as soon as they are detected. Even where there is some difference of opinion regarding breach, it is better to err on the side of caution and report it.

Upon detecting a breach, it is important to act quickly. It is important to let the Parish Clerk know:

1. The extent of the breach
2. The amount of information involved
3. The sensitivity of information involved.

The Parish Clerk will investigate the incident and establish:

1. why it happened,
2. whether or not it constitutes a breach and
3. the remedial action that may be necessary.

The Parish Clerk will use their initial assessment to report the breach if it meets the necessary threshold for reporting to the ICO within 72 hours of discovery. If this is done after 72 hours, the Parish Clerk will provide an explanation.

The Parish Clerk will prepare an incident report containing the following:

1. A timeline of dates and times concerning the incident.
2. The potential for loss or damage to individuals, the parish council or any other body.
3. The measures that need to be taken, and the time in which to take them, to address-
 - a. Restoring any lost information to our custody or control

- b. Whether to warn people about the loss, including the identification of who to warn and when; this may require a risk assessment.
- c. Factors taken into account for deciding to report the loss to the ICO.
- d. Whether to report the loss to the Police.

The Parish Clerk will consider taking statements promptly from those involved, especially where the quality of evidence may be lost through time or people may not be present for long.

The Parish Clerk will report any actions that need to be taken to prevent recurrence of the breach, and the parish council will ensure these are implemented.

The Parish Clerk will write to any data subject(s) affected, which, if necessary, may depend on the outcome of a risk assessment, and deal with any subsequent complaint.

The Parish Clerk will also correspond as applicable with any member of the public reporting a breach.

The Parish Clerk will deal with any correspondence from the ICO, providing any further information requested and implementing any recommendations.

Contact Information

If you have any questions or concerns about this procedure or your personal data, please contact us via:

Email: clerk@broomfield-pc.gov.uk

Telephone: 01245 441660 (office telephone)

Post: Broomfield Village Hall, 158 Main Road, Broomfield, Essex, CM1 7AH

Additional information is available from the Information Commissioners Office:

Website: <https://ico.org.uk/global/contact-us>

Telephone: 0303 123 1113