



## **Data Protection Breach Policy**

**1. Purpose** This policy outlines the procedures to follow in the event of a data protection breach to ensure compliance with UK data protection laws, including the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. It aims to mitigate risks, protect affected individuals, and prevent recurrence.

**2. Scope** This policy applies to all councillors, employees, contractors, and third-party processors who handle personal data on behalf of Wrose Parish Council.

**3. Definition of a Data Protection Breach** A data protection breach is any incident that results in the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to personal data. Examples include:

- Sending personal data to the wrong recipient.
- Loss or theft of devices containing personal data.
- Unauthorized access to personal data.
- Hacking or malware attacks.

## **4. Responsibilities**

- **The Chair to the Council and the Clerk:** Oversee breach management, risk assessment, and reporting to regulatory authorities.
- **All Councillors and staff:** Must report breaches immediately upon discovery and cooperate with investigations.

## **5. Breach Response Procedure**

### **Step 1: Identify and Contain the Breach**

- Immediately identify the nature and scope of the breach.
- Take steps to contain the breach, such as:
  - Disconnecting affected systems from the network.
  - Securing physical files.
  - Revoking access to compromised accounts.

### **Step 2: Report the Breach**

- Report the breach to the Chair of the Council or Clerk within **24 hours** of discovery and provide the following information:
  - Date and time of discovery.
  - Description of the breach.
  - Types of data involved.
  - Individuals or systems affected.
  - Immediate actions taken.

### **Step 3: Assess the Risks**

- The Chair of the Council or Clerk will assess the potential risks to individuals, including:
  - The sensitivity of the data involved.
  - The volume of data affected.
  - Potential consequences for individuals (e.g., identity theft, financial loss).

### **Step 4: Notify the ICO (if required)**

- If the breach poses a risk to individuals' rights and freedoms, the Information Commissioner's Office (ICO) must be notified **within 72 hours** of becoming aware of the breach.
- The notification must include:
  - Nature of the breach.
  - Categories and approximate number of individuals affected.
  - Categories and approximate number of data records affected.
  - Measures taken to address the breach.
  - Contact details.

### **Step 5: Notify Affected Individuals (if required)**

- If the breach is likely to result in a high risk to individuals' rights and freedoms, notify affected individuals without undue delay.
- The notification should:
  - Describe the nature of the breach.
  - Provide advice on mitigating risks (e.g., changing passwords, monitoring accounts).
  - Include contact details for further assistance.

### **Step 6: Investigate and Document**

- Conduct a full investigation to determine the root cause.
- Document the breach, actions taken, and lessons learned in the breach register.
- Maintain records of all breaches, regardless of whether they were reported to the ICO.

### **Step 7: Review and Prevent Recurrence**

- Implement corrective measures to prevent similar breaches.
- Update relevant policies, procedures, and staff training as necessary.
- Review the incident in regular data protection audits.

## **6. Training and Awareness**

- All Councillors and staff must have an understanding of the UK data protection regulations and breach response.
- Periodic reminders and updates will be provided to reinforce good practices.

## **8. Contact Information**

- [Clerk@wroseparishcouncil.gov.uk](mailto:Clerk@wroseparishcouncil.gov.uk)

## 9. Review and Updates

This policy will be reviewed bi-annually<sup>1</sup> or following any significant data protection breach, regulatory changes, or operational updates.

**Adopted:** Date: 16 January 2025

Date of next review: January 2027

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<sup>1</sup> Every 2 years