Saxmundham Town Council

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Saxmundham Town Council

Data Breach Procedure June 2019 [1]

1.00   What is a Data Breach?

1.01.   Personal data breaches can include:

- access by an unauthorised third party;
- deliberate or accidental action (or inaction) by a controller or processor;
- sending personal data to an incorrect recipient;
- computing devices containing personal data being lost or stolen;
- alteration of personal data without permission; and
- loss of availability of personal data.

1.02   The Council must report a notifiable breach to the Information Commissioner's Office (ICO) without undue delay, but not later than 72 hours after becoming aware of it. If the Council takes longer than this, it must give reasons for the delay.

2.0   How to report a breach.

2.1   If you experience of suspect a data breach you must contact the Town Clerk or Assistant Town Clerk (the Clerk) at the earliest opportunity. You must give the Clerk clear details of

- what has happened;
- when and how you found out about the breach;
- the people that have been or may be affected by the breach;
- anything you are doing as a result of the breach; and
- anyone else you have informed about the breach e.g. the police.

If the Clerk is unavailable please report the breach yourself following the instructions below. Please keep a clear record and report to the Clerk as soon as possible.

2.2   The Clerk will telephone the ICO's personal data breach helpline immediately for advice about what to do next, including how to contain it and how to stop it

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[1] Key info from ICO Website. https://ico.org.uk/for-organisations/report-a-breach/personal-data-breach/

happening again. The ICO will also offer advice about whether the Council must tell the data subjects involved.

2.2   The ICI's helpline is open Monday to Friday between 9am and 5pm. When a call is received the ICO will record the breach and give advice about what to do next. Outside these hours the report must be made online.

Call ICO, 0303 123 1113

3.0   Information to provide.

3.1   The ICO will need to know:

- what has happened;
- when and how the Council found out about the breach;
- the people that have been or may be affected by the breach;
- what the Council is doing as a result of the breach; and
- who the ICO should contact if they need more information; and
- details of anyone else who has been informed.

The ICO will send a copy of the information given.

4.0   Reporting a breach online.

4.1   If the Clerk is confident that the breach has been dealt with appropriately, they may prefer to report it online. It is also possible to report a breach online if it is still being investigated and further information is to be provided at a later date. The online form can also be used to report breaches outside the Council's normal opening hours.

https://ico.org.uk/for-organisations/report-a-breach/personal-data-breach/

4.2   An online report must include the telephone number of someone familiar with the breach, for the ICO to contact for further information.

4.3   If you are unsure about any of the questions within the form, or if have any concerns about how to manage the breach please call the ICO on 0303 123 1113.