SPEEN PARISH COUNCIL

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DATA BREACH POLICY & PROCEDURE

1. INTRODUCTION

1.1 The Council has a responsibility to ensure that 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 Council has a responsibility to put things right.

1.2 All suspected information security incidents must be reported to The Clerk who will report them to The Council. This enables the The Council to conduct a full investigation, and to identify areas of weakness and improvements that need to be made. It also enables The Council to take a decision as to whether the incident should be reported to the Information Commissioner's Office as a data breach. The latter must be done within 72 hours of discovery, therefore all suspected incidents must be reported to the Clerk as soon as they are discovered.

1.3 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 requiring reporting to the Information Commissioner's Office 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 Council will still put measures in place to prevent a reoccurrence.

1.4 All staff and councillors must be made aware of this procedure.

2. PROCEDURE

2.1 All identified incidents must be reported to The Clerk as soon as they are detected. Even where there is some difference of opinion regarding a breach, this should alwaye be reported.

2.2 Upon detecting a breach, it is important to act quickly. In particular it is important to make The Clerk aware of the following information:

- The extent of the breach
- The amount of information involved
- The sensitivity of information involved

2.3 The Clerk will investigate the incident and establish why it happened, whether or not it constitutes a breach and what remedial action is necessary.

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

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

- A timeline of dates and times concerning the incident
- The potential for loss or damage to individuals, The Council or any other body
- What measures need to be taken and how quickly to address:-
  i. Restoring any lost information to our custody or control
  ii. Whether to warn people about the loss, including who to warn and when. This may require a risk assessment.
  iii. Factors taken into account for deciding to report the loss to the Information Commissioner's Office.
  iv. Whether to report the loss to the Police.

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

2.7 The Clerk will report any actions that need to be taken to prevent a reoccurance of the breach and The Council will ensure that these are implemented.

2.8 The Clerk will write to any data subject(s) affected, dependant on the outcome of a risk assessment, and deal with any subsequent complaint. A standard letter template for this is in Appendix 1.

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

2.10 The Clerk will deal with any correspondence from the Information Commissioner's Office, providing any further information requested and implementing any recommendations.

3. AUTHORISATION

3.1 This Data Breach Policy & Procedure has been authorised by Speen Parish Council as follows:

Adopted by The Council on:	13th May 2026
Last Review:	N/A
Next Review:	13th May 2027

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APPENDIX 1

Letter to notify that personal data has been breached

I write to you to bring to your attention a breach of the Data Protection Act that unfortunately involves your personal data.

As you would imagine we have taken this matter very seriously and *are investigating the matter / have concluded our investigation into it.*

The facts in this matter are *<give brief description of what has happened, eg a letter intended for you was sent to another individual because of an administrative error. The other individual immediately notified me on receipt and returned the letter.>.*

I am unable for reasons of confidentiality to go into details of my investigation, however I am able to tell you that you *<state what remedial action(s) have been carried out / what has been to prevent a reoccurrence, without breaching confidentiality>*

If you have any questions or concerns regarding this letter, please get in touch with me.

I would again like to apologise for the incident of which you were no doubt unaware.

Yours sincerely,

APPENDIX 2

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Letter in response to notification by service user

Thank you for your *letter / telephone call* of <*date*> bringing the incident whereby <*state what has happened*> to our attention. We are obliged to you for acting in such a responsible way in contacting us.

As you would imagine we have taken this matter very seriously and I have concluded our investigation into it.

The facts in this matter are *<give brief description of what has happened, eg a letter intended for another individual was sent to you because of an administrative error>.*

I am unable for reasons of confidentiality to go into details of my investigation, however I am able to tell you that you *<state what remedial action(s) have been carried out / what has been to prevent a reoccurrence, without breaching confidentiality>*

I hope this letter has allayed your fears as to the integrity of your own information and documents and can I again thank you for bringing this case to our attention enabling us to take appropriate action.

Yours sincerely,