# CYNGOR CYMUNED
# MANORDEIFI
# COMMUNITY COUNCIL

## DATA BREACH POLICY AND PROCEDURES

| **Version control** | | | |
|---|---|---|---|
| Current version number | | V1 | |
| Date of last review | | 13/6/23 | |
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| **Amendment history** | | | |
| **Version no.** | **Date/Minute** | **Summary of amendments** | **Author** |
| V1 (draft) | 28/5/23 | Creation of policy | JK (Clerk) |
| V1 | 13/6/23 7h | Approved by council | |
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## INTRODUCTION

Manordeifi Community Council recognises that it is essential to ensure that all personal data that is held by it is held securely. It also recognises that as a Data Controller it is responsible for the processing of data, and that it should ensure that the purposes and means of that processing are legal. This policy is to state how it will manage the process should there be a data breach of information that is held by it.

A 'personal data breach' means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed (UK GDPR Article 4(12)).

A data security breach can happen for a number of reasons:

- Loss or theft of data or equipment on which data is stored
- Inappropriate access controls allowing unauthorised use
- Equipment failure
- Human error
- Unforeseen circumstances such as a fire or flood
- Hacking attack
- 'Blagging' offences where information is obtained by deceiving the organisation who holds it

## PROCEDURES

The following steps will be taken should a data breach occur:

1) If the Clerk becomes aware of a data breach, they will follow the steps on the data breach form. Once completed the form will be retained by the Clerk.

2) Any data breach will be reported in the first instance to the Council's Clerk. The Clerk will decide if the breach is likely to be a risk to an individual's rights and freedoms. This decision and the reasons will be documented.

3) If there is unlikely to be a risk, then the breach will be managed by the Clerk. If there is likely to be a risk, then the breach will be reported to the ICO within 72 hours of becoming aware of it. Where notification is not made within 72 hours, Manordeifi Community Council will provide reasons for the delay.

4) In all cases the breach will be reported to the next Council meeting, in private session. It will be up to the Council, as Data Controller, to review procedures in order to ensure that they prevent any further such breach as far as possible.

## NOTE:

When a personal data breach is likely to result in a high risk to the rights and freedoms of people, Manordeifi Community Council, via the Clerk, must

communicate the personal data breach to the data subject without undue delay, unless specific conditions apply. These conditions include the implementation of technical measures, such as encryption which would render the data unintelligible to any person not authorised to access it, taking measures to contain the initial high risk, or it would involve disproportionate effort (in which case a public communication or similar measure can be used to inform data subjects) (Article 34)

For further information, refer to the ICO website: ico.org.uk

ICO contact number: **0303 123 1113**

Use the following form to record data breaches.

| | |
|---|---|
| Date & time of notification of breach | |
| Notification of breach to whom<br><br>Name<br><br>Contact details | |
| Detail of breach | |
| Nature and content of Data Involved | |
| Number of individuals affected | |
| Name of person investigating breach<br><br>Name<br>Job Title<br>Contact details<br>Email<br>Phone number<br>Address | |
| Information Commissioner informed<br><br>Time and method of contact<br>https://ico.org.uk/for-organisations/report-a-breach/ | |
| Police Informed if relevant<br><br>Time and method of contact<br><br>Name of person contacted<br><br>Contact details | |
| Individuals contacted<br><br>How many individuals contacted? | |

| | |
|---|---|
| Method of contact used to contact? Does the breach affect individuals in other EU member states?<br><br>What are the potential consequences and adverse effects on those individuals?<br><br>Confirm that details of the nature of the risk to the individuals affected: any measures they can take to safeguard against it; and the likely cost to them of taking those measures is relayed to the individuals involved. | |
| Staff briefed | |
| Assessment of ongoing risk | |
| Containment Actions: technical and organisational security measures have you applied (or were to be applied) to the affected personal data | |
| Recovery plan | |
| Evaluation & response | |