



Treverbyn Parish Council

Personal Data Breach Policy

1. Introduction

Treverbyn Parish Council (“the Council”) recognises the importance of protecting personal information and responding appropriately to any personal data breach.

This policy sets out the procedures for identifying, reporting, managing and responding to personal data breaches in accordance with:

- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Guidance issued by the Information Commissioner’s Office (ICO)

The Council is committed to minimising the impact of any breach and ensuring compliance with legal obligations.

2. Purpose

The purpose of this policy is to:

- Ensure personal data breaches are identified and managed promptly
- Minimise harm to individuals and the Council
- Ensure compliance with legal reporting obligations
- Clarify responsibilities for councillors, staff and volunteers
- Promote good information governance practices

3. Scope

This policy applies to:

- Councillors
- Employees
- Contractors
- Volunteers

- Co-opted members
- Any person processing Council information

The policy applies to breaches involving:

- Electronic records
- Emails
- Paper records
- Portable devices
- Cloud systems
- Personal devices used for Council business
- Verbal disclosures of confidential information

4. Definition of a Personal Data Breach

A personal data breach is a breach of security leading to the accidental or unlawful:

- Destruction
- Loss
- Alteration
- Unauthorised disclosure of
- Access to personal data.

Breaches may be accidental or deliberate.

5. Examples of Data Breaches

Examples include:

- Sending emails containing personal data to the wrong recipient
- Loss or theft of laptops, phones, or paper files
- Unauthorised access to Council systems
- Cyber-attacks or malware incidents
- Publishing personal information accidentally
- Loss of USB devices containing personal data
- Sharing confidential information inappropriately
- Failure to redact personal information from published documents

6. Responsibilities

6.1 The Council

Treverbyn Parish Council is responsible for ensuring appropriate procedures are in place to manage personal data breaches.

6.2 The Clerk

The Clerk shall oversee the management of data breaches and shall:

- Receive breach reports
- Assess the severity of breaches
- Maintain breach records
- Coordinate responses and investigations
- Determine whether ICO notification is required
- Inform affected individuals where appropriate
- Recommend corrective actions

6.3 Councillors, Staff and Volunteers

All persons handling Council information must:

- Take reasonable steps to protect personal data
- Report actual or suspected breaches immediately
- Cooperate with investigations and corrective actions

Failure to report a known breach may itself be treated as a serious matter.

7. Reporting a Breach

All actual or suspected personal data breaches must be reported immediately to the Clerk.

Reports should include where possible:

- Nature of the breach
- Date and time discovered
- Type of personal data involved
- Number of individuals affected
- Whether the breach is ongoing
- Any immediate action taken

If the Clerk is unavailable, the matter should be reported to the Chair of the Council.

8. Immediate Response Actions

Upon becoming aware of a breach, reasonable steps should be taken immediately to:

- Contain the breach
- Recover lost information where possible
- Prevent further unauthorised access
- Secure systems or devices
- Change passwords if necessary
- Suspend compromised accounts where appropriate

The priority shall be to minimise risk and prevent further harm.

9. Assessment of Breach

The Clerk shall assess:

- The nature and sensitivity of the data involved
- The number of individuals affected
- The potential consequences
- Whether personal data has been accessed unlawfully
- Whether the breach creates a risk to individuals' rights and freedoms

The assessment shall determine whether further action or reporting is required.

10. Reporting to the Information Commissioner's Office (ICO)

Where required by UK GDPR, the Council shall report a personal data breach to the Information Commissioner's Office (ICO).

Where notification is required, this should normally occur within 72 hours of becoming aware of the breach.

The Council shall maintain records of all reportable breaches.

11. Informing Affected Individuals

Where a breach is likely to result in a high risk to individuals' rights and freedoms, affected persons shall be informed without undue delay.

Information provided should include:

- Nature of the breach
- Likely consequences
- Steps taken by the Council
- Recommended protective actions
- Contact details for further information

The Council shall communicate clearly and sensitively.

12. Breach Records

The Council shall maintain a record of personal data breaches, including:

- Facts relating to the breach
- Effects of the breach
- Actions taken
- Outcomes and lessons learned

Records shall be retained securely.

13. Personal Devices and Cyber Security

Some councillors use personal devices for Council business and meetings.

Where personal devices are involved in a breach or suspected breach:

- The incident must be reported immediately
- Council data should be secured or deleted where appropriate
- Passwords or accounts should be changed if necessary

All users are expected to take reasonable steps to maintain device security.

14. Prevention Measures

The Council shall seek to reduce the likelihood of breaches through:

- Use of secure '.gov.uk' email accounts
- Password protection and access controls
- Software updates and anti-virus protection
- Secure storage arrangements
- Staff and councillor awareness
- Appropriate document handling procedures

15. Disciplinary and Legal Consequences

Failure to comply with this policy may result in:

- Withdrawal of access to Council systems
- Internal disciplinary procedures
- Referral to external authorities where appropriate

Serious breaches may constitute misconduct or criminal offences.

16. Review

This policy shall be reviewed annually or sooner if required due to legislative, operational, or technological changes.

17. Adoption

Adopted by Treverbyn Parish Council on: