

Schedule C: Data Breach Policy

GDPR defines a personal data breach as “a breach of security leading to accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed”. Examples include:

- access by an unauthorised third party
- deliberate or accidental action (or inaction)
- sending personal data to an incorrect recipient
- computing devices containing personal data being lost or stolen
- alteration or personal data without authority
- loss of availability of personal data

The Trustees, elected officers of Egmonton Village Meeting and appointed sub committees, take the security of personal data seriously, computers are password protected and hard copy files are kept in locked cabinets.

Consequences of a personal data breach

A breach of personal data may result in a loss of control of personal data, discrimination, identity theft or fraud, financial loss, damage to reputation, loss of confidentiality of personal data, damage to property or social disadvantage. Therefore a breach, depending on the circumstances of the breach, can have a range of effects on individuals.

The duty to report a breach

If the data breach is likely to result in a risk to the rights and freedoms of the individual, the breach must be reported to the individual and to the National Association of Local Councils (NALC) at nalc@nalc.gov.uk, without undue delay, and, where feasible, not later than 72 hours after becoming aware of the breach. As Egmonton Village Meeting is not required to have a DPO, NALC will provide advice on Data Protection Officer responsibilities and notification to the Information Commissioner (ICO) at <https://ico.org.uk/for-organisations/report-a-breach/>

When notifying a breach, Egmonton Village Meeting must:

- (a) describe the nature of the breach, including the categories and approximate number of data subjects concerned and the categories and approximate number of personal data records concerned
- (b) describe the likely consequences of the breach
- (c) describe the measures taken, or proposed to be taken, to address the personal data breach including measures to mitigate its possible effects

When notifying the individual affected by the breach, Egmonton Village Meeting must provide the individual with the information from (b) and (c) above. It will not need to communicate with an individual if it has taken subsequent measures to ensure that high risk to rights and freedoms of individuals is no longer likely to materialise or, it would involve a disproportionate effort.

Records of data breaches

All data breaches must be recorded whether or not they are to be reported to the individuals concerned. This record will help to identify system failures and should be used as a way to improve the security of personal data

Date of Breach	Type of Breach	Number of individuals affected	Date reported	Actions to prevent breach recurring