



Data Breach Policy

Version: 1.5



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1 Summary

BCC's suite of Information Security Policies set out BCC's obligations in relation to the security of personal data.

This policy sets out BCC's obligations in relation to data breaches, as set out in Articles 33 and 34 of the UK GDPR and Part 3 Chapter 4 of the DPA 2018.

A personal data breach is a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. A breach can be either accidental or deliberate.

- All personal data breaches must be recorded, investigated whether processed by BCC (the Data Controller) or by a Processor working on behalf of BCC.
- Data processors are required to inform BCC as soon as they become aware that a breach has occurred. As data controller, it is BCC's responsibility to address the breach and report to the ICO and notify the data subjects if necessary. This duty is detailed in all contracts between BCC and data processors.
- Where personal data breaches have been identified by data protection as a high risk to the data subject and therefore will impact the individual's rights and freedoms, they must be reported to the ICO within 72 hours and the data subjects informed.
- BCC holds a separate 'Caldicott Log' which records all breaches involving health and social care personal data. This is maintained by the Information Governance service.
- All staff are required to report any suspected data breaches to data protection as soon as they suspect a breach has occurred.
- Staff are assured that reporting of any potential personal data breach will not result in suffering any detrimental treatment as a result of raising their concerns.
- All Managers must complete the 'How to Handle a Data Breach' e-learning course.
- **Failure to notify the ICO (Information Commissioners Office) of a personal data breach when required to do so can result in enforcement action including substantial fines, in addition to the loss of trust and reputational damage suffered.**
- Employees of BCC are obliged to comply with this policy when processing personal data on our behalf. Any breach of this policy may result in disciplinary action.

The full details of the Policy are contained in the following pages. It provides the details about BCC's obligations and how it complies with them when processing personal data.

A copy of the full Data Breach policy is available on request.

2 Standards

UK General Data Protection Regulation

Data Protection Act 2018

3 Definitions

- **IAO – Information Asset Owners** are responsible for the processing of personal data within their service area.
- **A personal data breach** - a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. A breach can be either accidental or deliberate.

4 Version Awareness:

Please note that documents printed or downloaded are uncontrolled documents and therefore may not be the latest version.

Ensure this is the latest version by checking the [BCC Website](#).

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Security Standard and Clauses	
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Document History		
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1.04	21.06.2022	Update of format to current version and to reflect that UK GDPR is now the data protection legislation
1.05	25.07.2023	Review and updated. Layout now in line with current new structure. Incorporating layout of sections and addition of Review dates