



DAME DOROTHY PRIMARY SCHOOL AND DAYCARE

DATA BREACH POLICY

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Mission Statement

"We strive to provide a safe and happy environment where children are encouraged to be creative, resilient and hard working"

At Dame Dorothy Primary School, we have high expectations for all pupils regardless of their starting point. Learning is at the core of all we do making full use of the places around us."

Introduction (space under this heading is different to that of 'Purpose' below and different again to that of 'Scope' below that.

Dame Dorothy Primary School holds processes and shares a large amount of personal data, a valuable asset that needs to be protected.

Every care is taken to protection personal data from incidents (either accidental or deliberate) to avoid a data protection breach that could compromise security.

Compromise of information, confidentiality, integrity, or availability may result in harm to individuals, reputational damage as well as detrimental effects on service provisions, legislative non- compliance, and /or financial costs.

Purpose

Dame Dorothy Primary School is obliged under the Data protection Act and the General Data Protection Regulation to have in place a framework designed to ensure security of all personal data during its lifecycle, including clear lines of responsibility.

This policy sets out the procedure to be followed to ensure a consistent and effective approach is in place for managing data breach and information security incidents across Dame Dorothy Primary School.

Scope (The paragraphs under this heading seem to have jumped to single spacing now as well)

This policy relates to all personal and special category data held by Dame Dorothy Primary School regardless of format.

This policy applies to all staff, pupils and contractors at Dame Dorothy Primary School including teaching students, temporary, casual, agency staff, suppliers and data processors working for or on behalf of Dame Dorothy Primary School.

The objective of this policy is to contain any breaches, to minimise the risk associated with the breach and consider what remedial action is necessary to secure personal data and prevent further breaches.

Definition/types of breach

For the purposes of this policy, data security breaches include both confirmed and suspected incidents.

An incident in the context of this policy is an event which may compromise the confidentiality, integrity or availability of systems or data, either accidentally or deliberately and has caused or has the potential to cause damage to Dame Dorothy Primary School information assets and/or reputation.

An incident includes but is not restricted to, the following:-

- Loss or theft of confidential or special category data or equipment on which such data is stored (e.g. loss of a laptop, memory stick, I Pad/Tablet or paper record.)
- Equipment theft or failure
- Unauthorised use of, access to or modification of data or information systems
- Attempts (failed /successful) to gain unauthorised access to information or I.T systems
- Unauthorised disclosure of special category/ confidential data
- Website defacement
- Hacking attack
- Unforeseen circumstances such as a fire or flood
- Human Error
- Blagging offences where information is obtained by deceiving the organisation who holds it.

Reporting an incident

Any individual who accesses, uses or manages Dame Dorothy Primary School data is responsible for reporting the data breach and information security incidents immediately to databreachreport@damedorothy.org.uk

The school will inform the Data Protection Officer.

If a breach occurs or is discovered outside normal working hours, it must be reported as soon as practicable. The school recognises that there is only 72 hours to report a breach to the Information Commissioner.

The report will include full and accurate details of the incident, when the breach occurred (dates and times), who is reporting it, if the data relates to people, the nature of the information, and how many people are involved. An incident reporting form should be completed as part of the reporting process. **See Appendix 1**

Containment and recovery

The Data Protection Officer will firstly determine if the breach is still occurring, if so, appropriate steps will be taken immediately to minimise the effect of the breach.

An initial assessment will be made by the DPO in liaison with relevant officers to establish the severity of the breach and who will take the lead investigating the breach (this will depend on the nature of the breach, in some cases it could be the DPO).

The Lead Investigation Officer (LIO) will establish who may need to be notified as part of the initial containment and will inform the police, where appropriate. The LIO will establish who may need to be notified as part of the initial containment and will inform the Police, where appropriate.

The LIO, in liaison with the relevant officers determine the suitable course of action to be taken to ensure a resolution to the incident.

Investigation and Risk Assessment

An investigation will be undertaken by the LIO immediately and where possible within 24 hours of the breach being discovered/reported.

The LIO will investigate the breach and assess the risks associated with it, for example, the potential adverse effects for individuals, how serious or substantial those are and how likely they are to occur.

The investigation will need to take into account the following:-

- The type of data involved
- It's sensitivity
- The protection in place (e.g. encryption)
- What's happened to the data, has it been lost or stolen
- Whether the data could be put to illegal or inappropriate use
- Who the individuals are, the number affected and the potential effects on those data subjects
- Whether there are wider consequences to the breach

Notification

The LIO and/or the DPO, in consultation with the Headteacher, will determine whether the breach needs to be reported to the Information Commissioner.

Every incident will be assessed on a case by case basis; however, the following will need to be considered:-

- Whether there are any legal/contractual notification requirements
- Whether notification would assist the individual affected – could they act on information to mitigate the risks

- Whether notification would help prevent the unauthorised or unlawful use of personal data
- Would notification help the school meet its obligation under the principle
- Whether this breach constitutes a high risk to individuals and therefore needs to be reported to the ICO

Notification to the individuals whose personal data has been affected by the incident will include a description of how and when the breach occurred and the data involved. Specific and clear advice will be given on what they can do to protect themselves, and include what action has already been taken to mitigate the risks. Individuals will also be provided with a way in which they can contact the school for further information or to ask questions about what has occurred.

The LIO and/or the DPO must consider notifying third parties such as the Police, insurers, bank or credit card companies, and trade unions. This would be appropriate where illegal activity is known or is believed to have occurred, or where there is a risk that illegal activity might occur in the future.

The LIO and or DPO will consider whether any press release may be required.

All actions will be recorded by the LIO and DPO.

All incidents will be reported to the Governing Board during Termly meetings. In the case of any severe breach or that which involves the notification of individuals, notification will be sent to the Chair of Governors from the Headteacher following the notification to the DPO.

Evaluation and response

Once the initial incident is contained, the DPO will carry out a full review of the causes of the breach, the effectiveness of the response and whether any changes to systems, policies or procedures should be undertaken.

Existing controls will be reviewed to determine their adequacy, and whether any corrective action should be taken to minimise the risk of similar incidents occurring.

The review will consider:-

- Where and how the personal data is held and where it is stored
- Where the biggest risks lie, and will identify any further potential weak points within its existing measures
- Whether methods of transmission are secure; sharing minimum amount of data necessary
- Identifying weak points within existing security measures
- Staff awareness
- Implementing a data breach plan and identifying a group of individuals responsible for reacting to reported breaches of security