



# General Data Protection Regulations (GDPR) Data Breach Notification Policy

## 1. Scope

This procedure applies in the event of a personal data breach under:

- Article 33 – Notification of a personal data breach to the supervisory authority (Information Commissioner’s Office (ICO))
- Article 34 – Communication of a personal data breach to the data subject

Under UK GDPR, a distinction is made between a data controller and a data processor. Yalding Parish Council (YPC) is the data controller. The Council has not appointed a person called a “Data Controller;” instead, The Clerk is responsible for overseeing data protection compliance on behalf of The Council.

## 2. Responsibility

All councillors, employees, volunteers, contractors and third party users handling personal data on behalf of YPC must:

- Be aware of this procedure
- Act immediately if they suspect or identify a personal data breach
- Report any breach to The Clerk without delay

Failure to report a breach promptly may increase the risk to individuals and The Council.

## 3. What is a Data Breach?

A personal data breach is any incident that leads to:

- Unauthorised access
- Unauthorised disclosure
- Loss
- Destruction

- Alteration

of personal data, whether accidental or deliberate.

YPC has measures in place to minimise the risk of breaches. However, if a breach occurs, The Council must record the incident and preserve any evidence. Anyone who becomes aware of a breach must contact The Clerk immediately.

#### **4. Procedure – Notification from Data Processor to YPC**

Where a breach or suspected breach occurs by anyone who processes personal data on behalf of YPC:

- The processor must notify The Clerk without undue delay
- The Clerk records the breach in the Internal Breach Register
- Notification may be made by email, phone or other agreed method
- The Clerk will acknowledge receipt of the notification

#### **5. Procedure – Notification from YPC to the ICO**

The Clerk will:

1. Assess the breach to determine whether it is likely to result in a risk to the rights and freedoms of individuals.
2. Notify the ICO without undue delay and, where feasible, within 72 hours if such a risk exists.

If notification is made after 72 hours, The Clerk will provide reasons for the delay.

The Clerk will provide the ICO with:

- A description of the nature of the breach
- Categories of personal data affected
- Approximate number of individuals affected
- Approximate number of personal data records affected
- Likely consequences of the breach
- Measures taken or proposed to address and mitigate the breach

Information may be submitted in phases if full details are not immediately available.

All breaches, whether notifiable or not, will be recorded in the Internal Breach Register.

#### **6. Procedure – Notification from YPC to Data Subjects**

Where a breach is likely to result in a high risk to the rights and freedoms of individuals, YPC will notify affected individuals without undue delay.

The notification will:

- Describe the nature of the breach in clear and plain language
- Include the information listed in Section 5
- Explain measures taken to secure the data (e.g., encryption)
- Explain steps taken to reduce further risk

If notifying individuals directly would require disproportionate effort, YPC will issue a public communication or use another equally effective method.

The ICO may also require YPC to notify individuals if it considers the risk to be high.

**Adopted 03 March 2026**

**To be reviewed annually at the Annual Parish Council Meeting (see minutes of that meeting).**