ANDOVER TOWN COUNCIL
Data Breach & Disposal Incident Procedure

1. Purpose

This procedure sets out how Andover Town Council will respond to:

- Personal data breaches
- Improper disposal of records (paper or digital)
- Loss, theft, or unauthorised access to information

It ensures compliance with the UK GDPR and Data Protection Act 2018 and minimises risk to individuals and the Council.

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2. What is a Data Breach?

A data breach is any incident leading to the:

- Loss or theft of data
- Unauthorised access or disclosure
- Accidental deletion or destruction
- Improper disposal of records

Examples:

- Sending an email to the wrong recipient
- Losing a laptop or file
- Disposing of confidential papers without shredding
- Publishing personal data accidentally

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3. Immediate Actions (FIRST RESPONSE)

Any staff member or Councillor who becomes aware of a breach must:

Act immediately:

- Contain the breach (e.g. recall email, secure documents)

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- Inform the Town Clerk immediately (within hours)
- Do not attempt to cover up the incident

Record key details:

- What happened
- When it happened
- What data was involved
- Who may be affected

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4. Initial Assessment (GDPR Officer)

The GDPR Officer will:

- Assess the type and sensitivity of data involved
- Determine the number of individuals affected
- Evaluate potential risks (identity theft, distress, etc.)
- Confirm whether the breach is ongoing

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5. Containment and Recovery

Immediate measures may include:

- Recovering lost or disclosed data
- Securing IT systems or accounts
- Requesting deletion of wrongly shared information
- Suspending access where necessary

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6. Risk Assessment

The Council will assess:

- Severity of impact on individuals

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- Likelihood of harm
- Any safeguarding concerns
- Reputational and legal risks

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7. Reporting to the ICO

If the breach is likely to result in a risk to individuals:

- The ICO must be notified within 72 hours
- The report will include:
    - Nature of the breach
    - Categories and volume of data
    - Likely consequences
    - Actions taken

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8. Informing Affected Individuals

Where there is a high risk to individuals, the Council will:

- Inform affected individuals promptly
- Explain:
    - What has happened
    - What data is involved
    - What they should do
    - What the Council is doing

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9. Disposal Incidents

Where the breach involves improper disposal (e.g. records not shredded):

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- Identify what records were exposed
- Assess whether personal or confidential data was included
- Recover materials if possible
- Review disposal procedures

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10. Investigation

All incidents will be investigated to determine:

- Root cause
- Whether policies were followed
- Whether training or controls failed

Findings will be recorded in the Data Breach Log.

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11. Corrective Actions

The Council will take steps to prevent recurrence, including:

- ☐ Staff training or refresher sessions
- ☐ Process or policy changes
- ☐ Improved access controls or security measures
- ☐ Disciplinary action (where appropriate)

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12. Documentation

All breaches (including near misses) must be recorded, including:

- Date and time
- Nature of breach
- Who reported it
- Actions taken

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- Outcome

Records will be retained in line with the Retention Scheme.

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13. Responsibilities

Role	Responsibility
GDPR Officer/Town Clerk	Overall breach management and ICO reporting
Staff	Immediate reporting and cooperation
Councillors	Compliance with this procedure and reporting incidents

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14. Training and Awareness

- Staff will receive regular data protection training
- This procedure will be included in staff induction
- Periodic reminders will be issued

Key Rule

If in doubt, report it immediately. Delays can worsen the impact and may breach legal obligations.

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