



Calstock Parish Council

Tamar Valley Centre, Cemetery Road, Drakewalls, PL18 9FE

Clerk: Clare Bullimore, Tel: 01822 748847 email:

clerk@calstockparishcouncil.gov.uk

Data Breach Procedure

Calstock Parish Council – Statement of Intent

To ensure that personal information is kept and used securely and to rectify any breaches in a timely and efficient manner.

Reviewed and Approved: 13-01-2026

Data Breach Procedure

1. Introduction

- 1.1 Calstock Parish Council has a responsibility to ensure that personal information is kept and used securely. If data is lost, stolen, misused, sent to the wrong address or inappropriately accessed or released, there is a duty to put things right. Calstock Parish Council appoints an external service provider, Microshade. The named Data Protection Officer (DPO) for Calstock Parish Council is:
Paul Russell, 2 School Villas, Crosslands, Tonedale, Wellington, Somerset TA21 0AF
Tel: 01823 617251, Mob: 07772 657446
- 1.2 All suspected information security incidents must be reported to the Clerk and DPO. This enables the DPO to conduct a full investigation, and to identify areas of weakness and improvements that need to be made. It also enables the DPO to take a decision as to whether the incident should be reported to the Information Commissioner's Office as a data breach. The latter must be done within 72 hours of discovery, therefore all suspected incidents must be reported to the DPO as soon as they are discovered.
- 1.3 When sensitive information has been put at risk but actually been lost, stolen, misused or inappropriately accessed or released, it may not be an incident requiring reporting to the Information Commissioner's Office. For example, a member of staff taking sensitive information home without authority but returning it safely the next day would have put data at risk: the DPO should put measures in place to prevent a reoccurrence.
- 1.4 All staff and councillors must be made aware of this procedure.

2. Procedure

- 2.1 All identified incidents must be reported to the Clerk and/or DPO as soon as they are detected.
- 2.2 Upon detecting a breach, it is important to act quickly. In particular it is important to let the DPO know the following:
 - The extent of the breach
 - The amount of information involved
 - The sensitivity of information involved
- 2.3 The DPO will investigate the incident and establish why it happened, whether or not it constitutes a breach and what remedial action is necessary.
- 2.4 The DPO will use their initial assessment to report the breach if it meets the necessary threshold for reporting to the Information Commissioner's Office within 72 hours of the discovery of the breach. If this is done after 72 hours, the DPO will provide an explanation for this.
- 2.5 The DPO will prepare an incident report containing the following:
 - A timeline of dates and times concerning the incident

- The potential for loss or damage to individuals, the parish council or any other body
 - What measures need to be taken and how quickly to address:-
 - i. Restoring any lost information
 - ii. Whether to warn people about the loss, including who to warn and when
 - iii. Factors taken into account for deciding to report the loss to the Information Commissioner's Office.
 - iv. Whether to report the loss to the Police.
- 2.6 The DPO will consider taking statements from those involved, especially where the quality of evidence may be lost through time or people may not be present for long.
- 2.7 The DPO will report any actions that need to be taken to prevent a reoccurrence of the breach and the parish council will ensure that these are implemented.
- 2.8 The DPO will write to any person or persons effected by the breach and deal with any subsequent complaint, in line with the Council's Complaints Policy. A standard letter template for this is in Appendix 1.
- 2.9 The DPO will also correspond as applicable with any member of the public reporting a breach.
- 2.10 The DPO will deal with any correspondence from the Information Commissioner's Office, providing any further information requested and implementing any recommendations.

APPENDIX 1

Letter to notify that personal data has been breached

I write to you to bring to your attention a breach of the Data Protection Act that unfortunately involves your personal data.

As you would imagine we have taken this matter very seriously and *are investigating the matter / have concluded our investigation into it.*

The facts in this matter are *<give brief description of what has happened, eg a letter intended for you was sent to another individual because of an administrative error. The other individual immediately notified me on receipt and returned the letter.>*

I am unable for reasons of confidentiality to go into details of my investigation, however I am able to tell you that you *<state what remedial action(s) have been carried out / what has been to prevent a reoccurrence, without breaching confidentiality>*

If you have any questions or concerns regarding this letter, please get in touch with me.

I would again like to apologise for the incident of which you were no doubt unaware.

Yours sincerely,

APPENDIX 2

Letter in response to notification by service user

Thank you for your correspondence of <date> bringing the incident whereby <state what has happened> to our attention.

We have taken this matter very seriously and thank you for bringing the matter to our attention. I have concluded our investigation into it.

The facts in this matter are <give brief description of what has happened, eg a letter intended for another individual was sent to you because of an administrative error>.

I am unable for reasons of confidentiality to go into details of my investigation, however I am able to tell you that you <state what remedial action(s) have been carried out / what has been to prevent a reoccurrence, without breaching confidentiality>

I hope this letter has allayed your fears as to the integrity of your own information and documents and can I again thank you for bringing this case to our attention enabling us to take appropriate action.

Yours sincerely,