

**BALLYMENA ACADEMY**

**POLICY STATEMENT**

**IN RELATION TO**

**PERSONAL DATA**

**BREACH MANAGEMENT**

**PROCEDURE**

**Reviewed December, 2022.**

**Approved at**

**Board of Governors’ Meeting**

**16th January, 2023.Ballymena Academy Personal Data Breach Management Procedure (Draft 2)**

Every care is taken to protect personal data and to avoid a data protection breach. In the event of data being lost or shared inappropriately, it is vital that appropriate action is taken to minimise any associated risk as soon as possible. This procedure applies to all personal and sensitive data held by Ballymena Academy and all school staff, Governors, volunteers and contractors, referred to hereinafter as 'staff'.

**Purpose**

This procedure, based on guidance received from the Education Authority [appendix 3], sets out the course of action to be followed by all staff at Ballymena Academy if a data protection breach takes place. The procedure places obligations on school staff to report actual or suspected personal data breaches and sets out steps to be taken by the school upon the occurrence of a personal data breach either from within the school itself or by a third party with whom the school has shared personal data.

**Types of breach**

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 or any security incident that affects the confidentiality, integrity or availability of personal data. Data protection breaches could be caused by a number of factors, for example : -

* Loss or theft of pupil, staff or governing body data and/ or equipment on which data is stored;
* Inappropriate access controls allowing unauthorised use;
* Unauthorised processing – may include disclosure of personal data to , or access by, recipients who are not authorised to receive or access the data;
* Damage – altered from its original form, corrupted or no longer complete;
* Equipment Failure;
* Poor data destruction procedures;
* Human Error;
* Cyber-attack;
* Hacking.

Any member of staff who discovers an actual, suspected , threatened or potential Personal Data breach must report it **immediately** to either the Principal, the Deputy Principal or a Vice- Principal and will be asked to complete a Data Breach Report form [appendix 1]. The incident will be logged on the school’s Personal Data Breach Register [appendix 2].

**Managing a data breach**

In the event that the school identifies or is notified of a personal data breach, the following 6 steps should be followed as detailed in the Education Authority’s Guidance , section B and summarised on pages 18-20 :-

1. Assessing the severity of the Personal Data Breach

2. Containment and Recovery

3. Notification to Information Commissioner’s Office

4. Notification to Data Subjects

5. Notification to the police/ other parties

6. Evaluation and Response

**Implementation**

The Principal/DPO should ensure that staff are aware of the School’s Data Protection policy and its requirements including this breach procedure. This should be undertaken as part of induction, supervision and ongoing training.

This policy will be reviewed annually or more frequently in the event of changes to legislation .

# APPENDIX 1

# BALLYMENA ACADEMY : PERSONAL DATA BREACH REPORT FORM

|  |  |
| --- | --- |
| **Data Breach Report Form** | |
| **Time and Date breach was identified**  **(Also time and date breach occurred if different to when identified)** |  |
| **How did you discover the breach, include details of  who identified the breach (including whether internal or external source)** |  |
| **If it has been more than 72 hours since the data breach, please explain reason for delay in reporting** |  |
| **Who is reporting the breach: Name/Post/Department** |  |
| **Contact details:**  **Telephone/Email** |  |
| **Description of the Data Breach:** |  |
| **Volume of data involved and number of individuals affected** |  |
| **Is the breach confirmed/suspected/**  **possible/threatened?** |  |
| **Is the breach contained or ongoing?** |  |
| **What actions are being taken to stop the breach and/or recover the data?** |  |
| **What are the potential consequences of the data breach?** |  |
| **Who else has been informed of the breach?** |  |
| **Date of the last Data Protection training for staff involved in this data**  **breach** |  |
| **Any other relevant information (e.g. is the data involved in the breach subject to any Data Sharing Agreement with a third party)** |  |

**For third party service providers/school staff who discover incident, please email form to**

**Mr T. McLeister : email tmcleister957@c2kni.net**

**and phone 02825652782 or 07702887973** to advise that a Data Breach Report Form has been sent.

|  |  |
| --- | --- |
| Received by: |  |
| Date/Time: |  |

# APPENDIX 2 PERSONAL DATA BREACH REGISTER FOR SCHOOLS

**Ballymena Academy**

| **Incident Number** | **Date of Incident** | **Reported by** | **Summary of facts (including numbers affected, type and volume of personal data)** | **Cause of Breach** | **Remedial Actions** | **Notification to individual?** | **Reported to ICO?** | **Additional Comments** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
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