



MANAGEMENT OF DATA BREACH POLICY

YOR Local Medical Committee Limited (YORLMC Ltd) works in conjunction with Bradford & Airedale Local Medical Committee (BA LMC) and North Yorkshire Local Medical Committee NY LMC) and is the professional voice for all NHS GPs and practice teams across the areas of North Yorkshire, the City of York, Bradford, Airedale, Wharfedale & Craven districts. YORLMC Ltd is a gateway to pastoral care and provides personal and confidential support for GPs and practices in difficulty or experiencing major change. It also provides personal advice and support for practices on a wide range of issues.

References in this document to “we” or “us” are references to both YORLMC Ltd and YOR LMC

Personal Data has the same meaning as set out in UK GDPR

UK GDPR together with the Data Protection Act 2018 governs how we use and process personal data.

UK GDPR introduces a duty on all organisations to report certain types of personal data breach to the relevant supervisory authority. This must be done within 72 hours of becoming aware of the breach, where feasible.

If the breach is likely to result in a high risk of adversely affecting individuals’ rights and freedoms, we must also inform those individuals without undue delay.

We must also keep a record of any personal data breaches, regardless of whether we are required to notify.

What is a personal data breach?

A personal data breach means a breach of security (howsoever arising) leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data that we hold.

Personal data breaches can include:

- access by an unauthorised third party;
- deliberate or accidental action (or inaction) by a controller or processor;
- sending personal data to an incorrect recipient;
- computing devices containing personal data being lost or stolen;
- alteration of personal data without permission; and
- loss of availability of personal data.

When a personal data breach has occurred, we will establish the likelihood and severity of the resulting risk to the individual(s) concerned taking into account their rights and freedoms. If it is likely

that there will be a risk, we will notify the ICO (where appropriate) and the individual who is subject to the breach and we will use all best endeavours to mitigate that breach and prevent any further breach from occurring again. In any event we will document the breach and any actions taken along with any reasons and justifications for those actions.

Where appropriate we will report a notifiable breach to the ICO without undue delay, but not later than 72 hours after becoming aware of it.

To notify the ICO of a personal data breach phone: 0303 123 1113

Further advice and support can be obtained [here](#)

The steps taken by YORLMC's Corporate Affairs Team to prevent breach of data

Individual staff contracts include clauses setting out an individual employee's responsibilities and obligations to us in relation to their duty of confidentiality and compliance with UK GDPR.

Furthermore, staff are given training on the principles of UK GDPR and information governance in relation to their role and to us.

In addition:

- staff are made aware through induction and ongoing training that care is needed to limit risks of emails and attachments being sent to the wrong person, or several people as it is easy to click the wrong recipient
- When emailing staff are encouraged to use BCC (Blind Carbon Copy) where appropriate
- Lost memory sticks – If staff lose or misplace memory sticks they must inform us immediately on 01423 879922.
- To limit Malware (IT) attack, up to date anti-virus software is in place.
- Equipment loss or theft – if staff lose or misplace or have any equipment stolen then you are required to inform us immediately on 01423 879922. If this occurs outside the hours of 9am-5pm or at weekends staff are required to follow the procedure described in the Corporate Affairs Team employee handbook
- Sensitive documents are password protected

Reviews

We will review any incidents and amend any current processes where necessary to ensure that any UK GDPR breaches are minimised or eliminated in so far as possible. Our protocols and processes will in any event be reviewed at a minimum annually, to ensure that they are still applicable and up to date.

Date	Author	Document History
	Corporate Affairs Team, YORLMC Ltd	Agreed by Board, YORLMC Ltd
Feb 2022	As above	Copyright updated
Mar 2022	As above	Updated introductory paragraph