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Responding to Personal Data Breaches Policy May 2018

Elite Lettings have in place a process to assess the likely risk to individuals as a result of a breach.

We are ICO registered and our registration number is ZA051314

We have a process to notify the ICO of a breach within 72 hours of becoming aware of it, even if we do not have all the details yet.

We know what information we must give the ICO about a breach.

We have a process to inform affected individuals about a breach when it is likely to result in a high risk to their rights and freedoms.

We know we must inform affected individuals without undue delay.

We know what information about a breach we must provide to individuals, and that we should provide advice to help them protect themselves from its effects.

We document all breaches, even if they don't all need to be reported.

What is a personal data breach?

A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. This includes breaches that are the result of both accidental and deliberate causes. It also means that a breach is more than just about losing personal data.

When a personal data breach has occurred, Elite needs to establish the likelihood and severity of the resulting risk to people's rights and freedoms. If it's likely that there will be a risk then we must notify the ICO; if it's unlikely then we don't have to report it. However, if we decide we don't need to report the breach, you need to be able to justify this decision, we will document it in a protected data breach file in the **Q Drive** of our secure database.

What information must Elite collate in relation to any Breach?

When reporting a breach, the GDPR says Elite must provide:

- A description of the nature of the personal data breach including, where possible:
- The categories and approximate number of individuals concerned; and
- The categories and approximate number of personal data records concerned;
- The name and contact details of the data protection officer

- A description of the likely consequences of the personal data breach; and
- A description of the measures taken, or proposed to be taken, to deal with the personal data breach, including, where appropriate, the measures taken to mitigate any possible adverse effects.

The GDPR recognises that it will not always be possible to investigate a breach fully within 72 hours to understand exactly what has happened and what needs to be done to mitigate it. So Article 34(4) allows Elite to provide the required information in phases, as long as this is done without undue further delay.

To report a breach, Elite will immediately contact the ICO Breach Hotline on **0303 123 1113** providing all of the information listed above.

What information must Elite provide to individuals when telling them about a breach?

Elite needs to describe, in clear and plain language, the nature of the personal data breach and, at least:

- The name and contact details of your data protection
- A description of the likely consequences of the personal data breach; and
- A description of the measures taken, or proposed to be taken, to deal with the personal data breach and including, where appropriate, of the measures taken to mitigate any possible adverse effects.

Does the GDPR require Elite to take any other steps in response to a breach?

Elite must ensure that it records all breaches, regardless of whether or not they need to be reported to the ICO.

Article 33(5) requires Elite to document the facts relating to the breach, its effects and the remedial action taken. This is part of our overall obligation to comply with the accountability principle, and allows ICO to verify our compliance with its notification duties under the GDPR.

As with any security incident, Elite will investigate whether or not the breach was a result of human error or a systemic issue and see how a recurrence can be prevented – whether this is through better processes, further training or other corrective steps.

PLEASE IN THE FIRST INSTANCE, SPEAK TO TINA SANDERS AND YOU WILL BE GUIDED THROUGH THE ENTIRE PROCESS.

You may do this by visiting the office and having a meeting in a room with no other people to ensure confidentiality or, over the telephone, by email or through our website. Elite Lettings believes that face to face contact in the Elite office as listed above, will provide the best and most satisfactory outcome in order to get your issues resolved as quickly and as safely as possible.

