Coast and Vale

WHERE LEARNERS AND STAFF THRIVE

Trust Policy

Information Security Incident Reporting Policy

Approver: Trustees
Review Cycle: Triennial

Revision History			
Date	**Version**	**Short Description of Changes**	**Approved by:**
Feb 2020	1.0	Policy approved	Trustees
May 2021	1.1	No changes (based on Veritau template v2)	Trustees
May 2024	2.0	Veritau template policy v4 adapted and adopted	Trustees

This Policy Applies To:
Secondary Schools Primary Schools Centralised Trust Employees Trustees & Governors

Document Management Information

Applicable to:	All staff, governors, Trustees
Development and Consultation:	Based on template policy provided by Veritau
Dissemination:	Staff will be notified by Newsletter and the policy will be available on the StaffHub
Implementation:	To be used in all cases where there has been an information security incident (data breach)
Training:	Staff have annual training on Data Protection, how to deal with a data breach being included
Review Frequency:	Triennial
Based on:	Veritau model policy v4
Policy Author:	Trust Compliance Officer
Executive Policy Owner:	Chief Operating Officer
Approval by:	Trustees
Version	V2.0
Approval Date:	19 October 2022
Next Review Due:	October 2025

If you require this policy in a more accessible format please contact the Trust Compliance Officer on compliance@coastandvale.academy

Executive summary text for current policy version: Explains what an Information Security Incident is, how to raise a concern and the process for investigating and reporting where necessary. Details who is responsible for in schools settings for certain tasks.

Contents

1 Introduction

1.1 This policy has been written to govern Coast and Vale Learning Trusts (the Trust) management of information security incidents and data breaches.

1.2 Queries about any aspect of the Trust's Information Governance strategy or corresponding policies should be directed to the Data Protection Officer at SchoolsDPO@veritau.co.uk

2 Scope

2.1 This policy applies to all the Trust's employees, any authorised agents working on behalf of the Trust, including temporary or agency employees, trustees, governors, and third-party contractors. Individuals who are found to infringe this policy knowingly or recklessly may face disciplinary action.

2.2 The policy applies to information in all forms including, but not limited to:

- Hard copy or documents printed or written on paper;
- Information or data stored electronically, including scanned images;
- Communications sent by post/courier or using electronic means such as email, fax or electronic file transfer;
- Information or data stored on or transferred to removable media such as tape, CD, DVD, USB storage device or memory card;
- Information stored on portable computing devices including mobile phones, tablets, cameras and laptops;
- Speech, voice recordings and verbal communications, including voicemail;
- Published web content, for example intranet and internet;
- Photographs and other digital images.

2.3 Article 33 of the UK GDPR requires data controllers to report breaches of personal data to the Information Commissioner's Officer; and sometimes the affected data subject(s), without undue delay and within 72 hours of discovery if the incident is likely to result in a risk to the rights and freedoms of the data subject(s). Therefore, it is vital that the Trust has a robust system in place to manage, contain, and report such incidents. The Information Security Incident Management Policy details how the Trust will handle and manage information security incidents when they arise.

3 Notification and Containment

3.1 In order for the Trust to report serious incidents to the ICO without undue delay and within 72 hours it is vital that we has a robust system in place to manage, contain, and report such incidents.

4 Roles and Responsibilities

Single Point of Contact – See appendix 3
Senior Information Risk Owner (SIRO) – The Chief Executive Officer
Information Governance Lead – See appendix 3
Information Asset Owner (IAO) – as detailed in the Information Asset Register
Data Protection Officer (DPO) – Veritau

5 Immediate Actions (Within 24 Hours)

5.1 If an employee, trustee, governor, or contractor is made aware of an actual data breach, or an information security event (a ‘near-miss’), they must report it to their line manager and the Single Point of Contact (SPOC) for the relevant school as soon as possible and within 24 hours. If the SPOC is not at work at the time of the notification, their nominated deputy would need to start the investigation process.

5.2 The SPOC will inform the following of the incident with as many details as they are aware of:

- The Information Governance Lead (IGL) for the school
- The Trust Compliance Officer (TCO) via the IT Service desk.
- The Information Asset Owner who is responsible for the specific data.

5.3 The TCO will support schools to investigate and liaise with the Trust’s Data Protection Officer.

5.4 If the breach has the potential to have serious or wide-reaching detriment to data subjects, then the Data Protection Officer must be contacted within this 24-hour period.

5.5 If appropriate, the individual who discovered the breach, or their line manager, will make every effort to retrieve the information and/or ensure recipient parties do not possess a copy of the information. Containing the breach should be the initial focus.

6 Assigning Investigation (Within 48 Hours)

6.1 Once received, the SPOC will assess the data protection risks and assign a severity rating according to the identified risks and mitigations using the risk matrix (appendix one), this risk matrix will help inform who is best placed to investigate an incident, the TCO is available to support with this if necessary. An investigation report should be completed (appendix two) by the investigator.

6.2 The SPOC will recommend immediate actions that need to take place to contain the incident this should include retrieving the data where this is possible or confirming its destruction.

6.3 The School based Information Governance Lead will assign an officer to investigate near misses, Very Low, Low and Moderate incidents. High or Very High incidents will be investigated by the Data Protection Officer with the assistance of relevant staff.

6.4 High or Very Hight incidents will also be notified to the CEO and the Trust Board.

6.5 In all cases the TCO will keep the SIRO updated as the investigation progresses.

7 Reporting to the ICO/Data Subjects (Within 72 Hours)

7.1 The Information Governance Lead, in conjunction with the relevant manager, TCO, SPOC, IAO and DPO will decide as to whether the incident needs to be reporting to the ICO, and whether any data subjects need to be informed. The relevant manager/IAO[1]

[1] In some cases, a pastoral colleague may be best placed to notify the data subjects. Where this is the case, they must keep the investigating officer informed and make sure conversations are documented.

will be responsible for liaising with data subjects and they will need to keep the TCO updated who will work with the DPO for liaising with the ICO.

8 Investigating and Concluding Incidents

8.1 The SPOC will ensure that all investigations have identified all potential information risks and that remedial actions have been implemented.

8.2 When the DPO has investigated a data breach then the SIRO must sign off the investigation report and ensure recommendations are implemented across the Trust

8.3 The Information Governance Lead will ensure all investigations have been carried out thoroughly and all highlighted information security risks addressed. The TCO will ensure that where incidents are relevant to more than one setting, this is communicated to them.

8.4 The TCO will ensure that all incidences are recorded on the Trust's breach log, along with the outcome of the investigation and that these are reported termly to the Finance and Resources Committee.

8.5 DPO Contact details:

Schools Data Protection Officer

Veritau Ltd
County Hall
Racecourse Lane
Northallerton
DL7 8AL

schoolsDPO@veritau.co.uk
01904 554025

Please ensure you include the name of your school in all correspondence

9 Glossary

TCO	Trust Compliance Officer	
DPO	Data Protection Officer	(Veritau)
SPOC	Single Point of Contact	(a named individual in schools see Appendix 3)
SIRO	Senior Information Risk Owner	The Chief Executive Officer
ICO	Information Commissioners Office	https://ico.org.uk
IAO	Information Asset Owner	These are identified on the schools Information Asset Register

Appendix 1: Risk Assessment Matrix

This matrix is designed to help you assess the risk associated with a data breach. Following a breach, please complete the steps below by ticking the boxes that apply.

You should provide the risk score and rating to Veritau when you report the breach.

If you need assistance with any aspect of this process, please contact our helpline.

Step 1

How many individuals' personal information is at risk?	Number of data subjects affected	Score	Selection
	0-10	+0	□
	11 -50	+1	□
	51-100	+2	□
	101 -500	+3	□
	500 -1000	+4	□
	1000 or more	+5	□

Step 2

Sensitivity factors – select each that apply		Score	Selection
Low	Contained no sensitive or confidential personal data.	-1	□
	The information is already easily accessible or in the public domain, or it would have been published or released under FOI anyway.	-1	□
	The information is encrypted, and it is therefore unlikely to be viewed.	-1	□
	It was only disclosed internally, to a trusted professional who is bound by a code of confidentiality and has no personal relationship with the data subject.	-2	□
	It was disclosed to an external trusted professional (e.g. a doctor or social worker) who is bound by a code of confidentiality and has no personal relationship with the data subject.	-1	□
	Individuals identified are in different geographical locations or are unlikely to be known to each other and/or the recipient of the data.	-1	□
	The information is unlikely to actually identify any individual(s).	-1	□
High	Breach involves detailed profile information, e.g. work/school performance, salaries or personal life including social media activity, even if no special category data is involved.	+1	□
	Breach involves high risk confidential information e.g. SEND case or safeguarding notes, spreadsheets of marks or grades obtained, information about individual student discipline or sensitive disclosures.	+1	□

Sensitivity factors – select each that apply		Score	Selection
	The individuals affected are already known to be vulnerable, e.g. victims of a harassment or crime, a child or family under social service support.	+1	□
	The individuals affected are likely to be placed at risk of physical harm.	+1	□
	Wider consequences are envisaged, e.g. embarrassment to the individual, reputational damage or similar effects. They may withdraw from engaging with the school and other professionals.	+1	□
	The incident is likely to attract media interest and/or a complaint has been made directly by a member of the public, another organisation or external individual.	+1	□
	The incident is due to a failure to implement, enforce or follow appropriate organisational or technical safeguards to protect the information.	+1	□
	There have been one or more previous incidents of a similar type in the last 12 months.	+1	□
	The breach was a result of targeted malicious/criminal activity such as physical theft or a cyber attack.	+2	□

Step 3

Effect of the breach on individuals (select one)		Score	Selection
No negative effects	There is absolute certainty that no negative effects will arise from the breach.	+0	□
Low	Individuals are unaffected or may experience a few inconveniencies, which they will overcome easily (e.g. time spent re-entering information/changing passwords, annoyances or irritations).	+1	□
Medium	Individuals may encounter inconveniences, which they will be able to overcome despite a few difficulties (e.g. inability to access business services, lack of understanding or stress).	+2	□
High	Individuals may encounter significant consequences, which they should be able to overcome but with difficulties (e.g. recoverable or minor financial loss, property damage, factors affecting employment, health issues; risk of harassment, bullying or violence).	+3	□
Very high	Individuals may encounter significant or even irreversible consequences, which they may not overcome	+4	□

Effect of the breach on individuals (select one)		Score	Selection
	(e.g. substantial debt or inability to work, loss of employment, long-term psychological or physical ill health, death or death threats).		

Step 4

Likelihood that negative effects will occur (select one)			
Likelihood	**Description**	**Score**	**Selection**
Will not occur	There is absolute certainty of no negative effects. This rarely applies, and never applies to breaches involving vulnerable groups. If using this, provide evidence.	-2	☐
Not likely	There is a small possibility of a negative effect, but no evidence to rule out negative effects altogether.	+1	☐
Likely	It is fairly likely that a negative effect could occur as a result of the breach.	+2	☐
Highly likely	There is reasonable certainty that a negative effect will occur either shortly or at some point in the future.	+3	☐
Occurred	The negative effect arising from the breach has already occurred and is known.	+4	☐

Step 5

This step is only relevant if an employee obtained, accessed, edited or destroyed data when they do not have authorisation to do so.

If this is step not relevant, please continue to the next section.

Staff actions and behaviour			
Factor	**Description**	**Score**	**Selection**
Intentional	The individual was not authorised to view the information but deliberately opened or searched for the data.	+3	☐
Accidental	The individual was not authorised to view the information, but accidentally opened the data in the course of their duties.	+1	☐
No pre-existing knowledge of or relationship	The employee does not know the data subject(s) through their work or personal life.	+0	☐

Staff actions and behaviour			
Factor	**Description**	**Score**	**Selection**
Pre-existing knowledge of or relationship	The employee knows the data subject(s) either through their work or personal life.	+2	☐

Step 6: risk scoring and rating

Please calculate the total from all the steps above, and record the risk score:

Risk Score	

Based on the score you calculated, use the table below to identify the risk rating for the incident.

Score	Risk Rating
< 2 (including < 0)	Very Low
3-5	Low
6-8	Moderate
9-10	High
11+	Very High

This risk rating should be provided to Veritau when reporting the breach.

Step 7: reporting to individuals and ICO

Below is a table of the suggested reporting requirements indicated for each risk rating.

Risk Rating	Reportable to Individuals*	Reportable to ICO
Very Low	No	No
Low	No	No
Moderate	No	No
High	No	Yes
Very High	Yes	Yes

*There can be other factors to consider when reporting to individuals. Please see the additional guidance document and refer to Veritau for advice.

Appendix 2: Information Security Incident Reporting and Investigation Form

Do not provide personal details of those involved or affected by a data breach. E.g. refer to them as pupils, service users, parents etc.

Stage 1: Initial recording and reporting of the incident

Serious breaches should be reported to Veritau within 24 hours of discovery.

You should use this report to record your breach in full. This is available on the Schools Portal and Veritau can assist with completing it.

Parts 1 and 2 of this report form the part of Veritau's "report a breach" function on the portal. So if you have used that function to report a breach to Veritau, you will have already completed these parts and your answers can just be pasted in to the relevant boxes below. You will then need to complete the rest of the boxes in this report to ensure the school has a full record of the breach and all actions taken.

Part 1 - About the incident	
Date and time the incident occurred	
Date and time the school became aware of the incident	
How did you first become aware of the incident? (e.g. reported by a staff member, parent or pupil)	
Who has the incident been reported to? (name and position at the school, or external organisations such as your IT team or the police)	
Incident reference number (if applicable for your school)	
Description of the incident Please provide as much detail and write as clearly as possible, including: • Who was involved and advised (job titles) • The cause of the breach (e.g. high workload, distracting workspace, new system, lack of training) • Explanation of any delay in reporting the incident	
Initial response by the school Provide details of any immediate actions that you have taken (e.g. removed published data, requested deletion of an email, password changes on systems, theft of equipment reported to the police).	
Have you been able to recover the personal data (if applicable)?	

Part 1 - About the incident	
Provide details e.g. you have retrieved a letter sent to the wrong parent etc.	
Have you informed the data subject(s)? This is the person the information relates to. If you have informed them please briefly describe their reaction (e.g. are they very concerned? Did they express any particular worries?).	

Part 2 – About the personal data	
How many individuals did the breached data relate to?	
Are there other people who may also be affected by the breach of the personal data? If so, how many? (E.g. parents of the pupils, family of a teacher etc.?)	
Categories of individuals affected Select all that apply	Employees □ Pupils □ Parents □ Other (please give details below): □ Click or tap here to enter text.
Does the information disclosed contain data that could identify the individuals? Select all those that apply	Name □ DOB □ Contact details □ Location data □ Online identifiers such as IP address and cookie identifiers □ Identification data such as usernames or passwords □ Official documents (e.g. passport) □ Free school meal status □ Other (please give details below): □ Click or tap here to enter text.
Does the data contain any sensitive or special category data? Select all that apply	Racial or ethnic origin □ Political opinions □ Religious or philosophical beliefs □ Trade union membership □ Genetic data □ Biometric data □ Health data (including SEN info) □

Part 2 – About the personal data	
	Data regarding sex life or orientation □ Criminal offence data □ Safeguarding information □ Financial information (bank details, credit card numbers, any information indicating financial status) □
Are there any other details which should be noted? e.g. any additional risks which could increase the harm/detriment to individuals involved or affect the investigation in any way.	

Stage 2: Risk assessment scoring

Please use the risk matrix scoring form and add the score and risk level to the box below.

Risk Score from Matrix (totals from all tables)	

Decision to inform data subjects/individuals affected

Reportable to individuals from the Matrix? Please select.	NO
Are there additional factors to consider regarding notifying individuals? Provide your reasoning and if specialist advice was required.	
Final decision to inform	Choose an item.
Decision makers details	
Date	Click or tap to enter a date.

Decision to inform ICO (made in conjunction with the DPO)

Reportable to ICO from the matrix? Please select.	NO
Are there additional factors to consider regarding notification? Provide your reasoning and if specialist advice was required.	
Final decision to inform	Choose an item.
Decision makers details	

Date	Click or tap to enter a date.
DPO details	
Date	Click or tap to enter a date.

Stage 3: Investigation

Understanding what data security measures are currently in place This section is about the internal controls that the school has in place to protect all data it holds across its systems, both electronically and physical files.	
Provide details of any relevant measures you already had in place to prevent a breach of this type occurring. For example: • Details of staff training, • What policies , processes and procedures are used within the school • Security controls in place (both physical – locked storage etc. and technical – passwords, encryption etc.).	
Are there relevant policies, procedures or guidance that set out what should have happened. If so what are they?	
Were the above appropriate security guidelines being followed? If not explain why.	
Has this type of incident occurred at the school before? If so, provide please a brief summary of • The date when it happened, • Who was involved in the incident (job titles) What the outcome of the investigation was (E.g. was any additional security or training put in place?)	

Training and communication This section is about whether staff understood what organisational and technical data security measures were in place	
If a member of staff was involved in the personal data breach, have they received data protection training within the last two years? (Please confirm what training has been completed)	
What evidence is there to communicate the process to be followed? (E.g. email reminders or staff meeting discussions)	

Was the training/communications provided being followed? If not explain why.	

Other factors for consideration	
Please provide any other factors that should be taken into consideration relating to the security incident. (E.g. the use of autocomplete for email addresses meant the wrong email address was selected)	
What was the root cause? (E.g. a change in working conditions, working from home, higher workload, staff absence, a lack of appropriate equipment, technology issues, lack of secure storage)	

Action Plan

This section is where you identify any improvements to reduce the risk of reoccurrence. This is also the place to record how lessons learned can be shared with colleagues. You can attach any documentary evidence to support the actions to this incident report.

	Identified area for improvement	Action required	By whom?	Date completed
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

Appendix 3: Named individuals

Filey School

Single Point of Contact (SPOC)	Business Manager
Information Governance Lead	Business Manager
Staff member responsible for maintaining the Information Asset Register	Business Manager

Friarage Community Primary School

Single Point of Contact (SPOC)	Business Manager
Information Governance Lead	Business Manager
Staff member responsible for maintaining the Information Asset Register	Business Manager

Lady Lumley’s School

Single Point of Contact (SPOC)	Business Manager
Information Governance Lead	Business Manager
Staff member responsible for maintaining the Information Asset Register	Business Manager

Newby and Scalby Primary School

Single Point of Contact (SPOC)	School Compliance Officer
Information Governance Lead	Business Manager
Staff member responsible for maintaining the Information Asset Register	School Compliance Officer

Scalby School

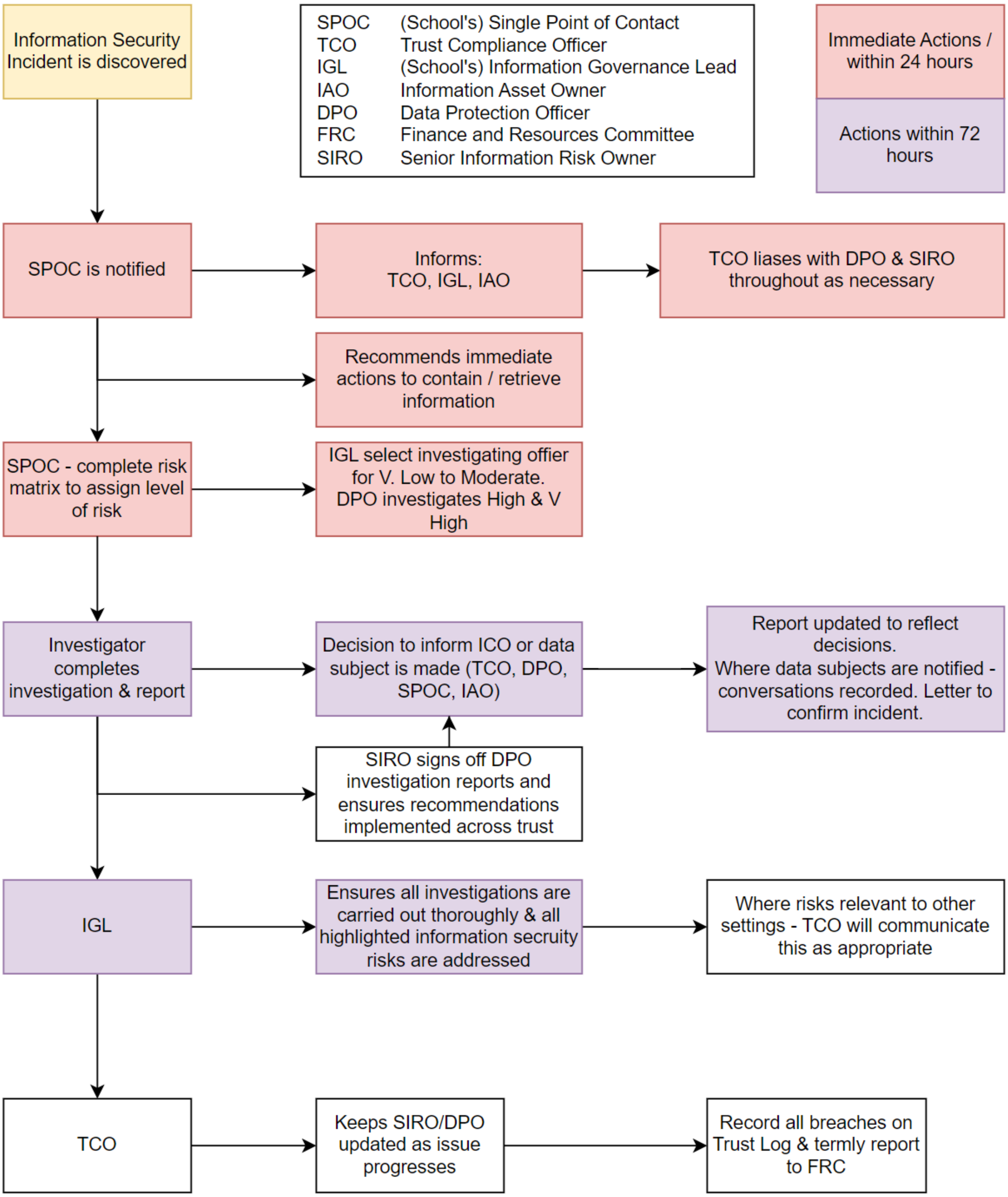
Single Point of Contact (SPOC)	Business Manager
Information Governance Lead	Business Manager
Staff member responsible for maintaining the Information Asset Register	Business Manager

Scarborough UTC

Single Point of Contact (SPOC)	Office Administration Manager
Information Governance Lead	Office Administration Manager
Staff member responsible for maintaining the Information Asset Register	Office Administration Manager

Appendix 4: Data Security Incident Reporting Flowchart

Data Security Incident Reporting Flowchart



SPOC	(School's) Single Point of Contact
TCO	Trust Compliance Officer
IGL	(School's) Information Governance Lead
IAO	Information Asset Owner
DPO	Data Protection Officer
FRC	Finance and Resources Committee
SIRO	Senior Information Risk Owner

Information Security Incident is discovered
Immediate Actions / within 24 hours
Actions within 72 hours
SPOC is notified
Informs: TCO, IGL, IAO
TCO liases with DPO & SIRO throughout as necessary
Recommends immediate actions to contain / retrieve information
SPOC - complete risk matrix to assign level of risk
IGL select investigating offier for V. Low to Moderate. DPO investigates High & V High
Investigator completes investigation & report
Decision to inform ICO or data subject is made (TCO, DPO, SPOC, IAO)
Report updated to reflect decisions. Where data subjects are notified - conversations recorded. Letter to confirm incident.
SIRO signs off DPO investigation reports and ensures recommendations implemented across trust
IGL
Ensures all investigations are carried out thoroughly & all highlighted information secruity risks are addressed
Where risks relevant to other settings - TCO will communicate this as appropriate
TCO
Keeps SIRO/DPO updated as issue progresses
Record all breaches on Trust Log & termly report to FRC