

1. Introduction

This procedure applies in the event of a personal data breach under Article 33 of the GDPR “Notification of a personal data breach to the supervisory authority” and Article 34 “Communication of a personal data breach to the Data Subject”

School Synergy is designated as a ‘Data Processor’ and each school is designated as the ‘Data Controller’ of which both have different responsibilities and obligations.

All employees of School Synergy are required to be aware of and follow this procedure in the event of a personal data breach and responsible for reporting any personal data breach to the Data Protection Officer (DPO).

2. Breach notification from Data Processor to Data Controller

Once identified, School Synergy will report any personal data breach or security incident to the primary school contact without delay.

School Synergy will take immediate and appropriate action to mitigate the breach which may include a temporary disruption to the service.

The Data Controller will be provided with full details of the breach and be kept informed of all steps to mitigate or rectify the issue.

The breach notification will be made initially by email and follow up with a telephone/meeting when appropriate.

3. Breach notification data controller to Supervisory Authority (ICO)

School Synergy will work with the Data Controller to ensure that the supervisory authority is notified (if required) in the event of a breach.

School Synergy will assess whether the personal data breach is likely to result in a risk to the rights and freedoms of the data subjects affected by the personal data breach, by conducting data protection impact assessment against the breach and report to the Data Controller.

If a risk to data subject(s) is likely, School Synergy will advise and require the Data Controller to report the personal data breach to the ICO without undue delay, and not later than 72 hours. The Information Commissioner’s Office require the key information listed below and will assist the Data Controller in providing the information at the same time or on phases is not possible.

- A description of the nature of the breach
- The categories of personal data affected
- Approximate number of data subjects affected
- Approximate number of personal data records affected
- Name and contact details of the Data Protection Officer (DPO)
- Consequences of the breach
- Any measures taken to address the breach
- Any information relating to the data breach

4. Breach notification data controller to Data Subject

It is the Data Controller’s responsibility to report the breach to the Data Subject if the personal data breach is likely to result in high risk to the rights and freedom. The Data Controller should notify those/the data subjects affected immediately. The notification to the data subject should describe the breach in clear and plain language, in addition to information specified in above. School Synergy will support the Data Controller with the notification.