



# St Mary's Priory Catholic Infant and Junior Schools

Love one another

Always do our best

Take care of ourselves and the world around us

Data Breach Policy

Date Agreed: March 2026

Date for Review: March 2027

## **DATA BREACH POLICY**

The UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, and the Data Protection and Digital Information (No. 2) Act 2024 collectively aim to protect the rights and freedoms of individuals whose data is obtained, stored, processed, or shared. These laws require schools to implement appropriate organisational and technical measures to prevent unauthorised access, alteration, disclosure, or destruction of personal data.

The UK GDPR places obligations on staff to report actual or suspected data breaches and our procedure for dealing with breaches is set out below. All members of staff are required to familiarise themselves with its content and comply with the provisions contained in it. Training will be provided to all staff to enable them to carry out their obligations within this policy.

Data Processors will be provided with a copy of this policy and will be required to notify the Schools of any data breach without undue delay after becoming aware of the data breach. Failure to do so may result in a breach to the terms of the processing agreement.

Breach of this policy will be treated as a disciplinary offence which may result in disciplinary action under the School's Disciplinary Policy and Procedure up to and including summary dismissal depending on the seriousness of the breach.

This policy does not form part of any individual's terms and conditions of employment with the Schools and is not intended to have contractual effect. Changes to data protection legislation will be monitored and further amendments may be required to this policy in order to remain compliant with legal obligations.

### **Definitions**

#### **Personal Data**

Personal data is any information relating to an individual where the individual can be identified (directly or indirectly) from that data alone or in combination with other identifiers we possess or can reasonably access. This includes special category data and pseudonymised personal data but excludes anonymous data or data that has had the identity of an individual permanently removed.

Personal data can be factual (for examples a name, email address, location or date of birth) or an opinion about that person's actions or behaviour.

Personal data will be stored either electronically or as part of a structured manual filing system in such a way that it can be retrieved automatically by reference to the individual or criteria relating to that individual.

#### **Special Category Data**

Previously termed "Sensitive Personal Data", Special Category Data is similar by definition and refers to data concerning an individual's racial or ethnic origin, political or religious beliefs, trade union membership, physical and mental health, sexuality, biometric or genetic data and personal data relating to criminal offences and convictions.

## Personal Data 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 special category data transmitted, stored or otherwise processed. This includes incidents involving Artificial Intelligence (AI) systems or automated tools that process personal data without appropriate authorisation or safeguards, including the misuse of approved AI platforms such as Microsoft Copilot.

### Data Subject

Person to whom the personal data relates.

### ICO

ICO is the Information Commissioner's Office, the UK's independent regulator for data protection and information.

## Responsibility

The Senior Business & Operations Manager has overall responsibility for breach notification within the Schools. They are responsible for ensuring breach notification processes are adhered to by all staff and are the designated point of contact for personal data breaches.

In the absence of the Senior Business & Operations Manager, please do contact the Schools Administrator.

The Data Protection Officer (DPO) is responsible for overseeing this policy and developing data-related policies and guidelines.

Please contact the DPO with any questions about the operation of this policy or the UK GDPR or if you have any concerns that this policy is not being or has not been followed.

The DPO's contact details are set out below: -

Data Protection Officer: Katherine Johnston  
Address: St. Mary's Priory Catholic Infant & Junior Schools, Hermitage Road,  
Tottenham, London, N15 5RE  
Email: [kjohnston@stmarysrcpriory.haringey.sch.uk](mailto:kjohnston@stmarysrcpriory.haringey.sch.uk)  
Web: <https://www.stmaryspriory.co.uk/>  
Telephone: 020 8800 9305

## Security and Data-Related Policies

Staff should refer to the following policies that are related to this data protection policy:

Data Protection Policy which sets out the School's obligations under UK GDPR about how they process personal data.

Retention Policy which sets out the School's guidelines and processes on keeping personal data secure and length in which data is held.

These policies are also designed to protect personal data and can be found at [www.ourladymuswell.haringey.sch.uk](http://www.ourladymuswell.haringey.sch.uk)

## **Data Breach Procedure**

### **What Is A Personal Data 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 special category data transmitted, stored or otherwise processed.

Examples of a data breach could include the following (but are not exhaustive): -

- Loss or theft of data or equipment on which data is stored, for example loss of a laptop or a paper file (this includes accidental loss);
- Inappropriate access controls allowing unauthorised use;
- Equipment failure;
- Human error (for example sending an email or SMS to the wrong recipient);
- Unforeseen circumstances such as a fire or flood;
- Hacking, phishing and other “blagging” attacks where information is obtained by deceiving whoever holds it.

### **When Does It Need to Be Reported?**

The Schools must notify the ICO of a data breach where it is likely to result in a risk to the rights and freedoms of individuals. This means that the breach needs to be more than just losing personal data and if unaddressed the breach is likely to have a significant detrimental effect on individuals.

Examples of where the breach may have a significant effect includes: -

- potential or actual discrimination;
- potential or actual financial loss;
- potential or actual loss of confidentiality;
- risk to physical safety or reputation;
- exposure to identity theft (for example through the release of non-public identifiers such as passport details);
- the exposure of the private aspect of a person’s life becoming known by others.

If the breach is likely to result in a high risk to the rights and freedoms of individuals then the individuals must also be notified directly.

### **Reporting A Data Breach**

If you know or suspect a personal data breach has occurred or may occur which meets the criteria above, you should: -

- Complete a data breach report form (which can be obtained from the Senior Business & Operations Manager);
- Email the completed form to the Senior Business & Operations Manager.

Where appropriate, you should liaise with your line manager about completion of the data report form. Breach reporting is encouraged throughout the Schools and staff are expected to seek advice if they are unsure as to whether the breach should be reported and/or could result in a risk to the rights and freedom of individuals. They can seek advice from their line manager, the Senior Business & Operations Manager / DPO.

Once reported, you should not take any further action in relation to the breach. In particular you must not notify any affected individuals or regulators or investigate further. The Senior Business & Operations Manager / DPO will acknowledge receipt of the data breach report form and take appropriate steps to deal with the report.

## **Managing and Recording the Breach**

On being notified of a suspected personal data breach, the Senior Business & Operations Manager / DPO will take immediate steps to establish whether a personal data breach has in fact occurred. If so they will take steps to:-

- Where possible, contain the data breach;
- As far as possible, recover, rectify or delete the data that has been lost, damaged or disclosed;
- Assess and record the breach in the School's data breach register;
- Notify the ICO;
- Notify data subjects affected by the breach;
- Notify other appropriate parties to the breach;
- Take steps to prevent future breaches.

### Notifying the ICO

The Senior Business & Operations Manager will notify the ICO when a personal data breach has occurred which is likely to result in a risk to the rights and freedoms of individuals.

This will be done without undue delay and, where possible, within 72 hours of becoming aware of the breach. If the Schools are unsure of whether to report a breach, the assumption will be to report it.

Where the notification is not made within 72 hours of becoming aware of the breach, written reasons will be recorded as to why there was a delay in referring the matter to the ICO.

### Notifying Data Subjects

Where the data breach is likely to result in a high risk to the rights and freedoms of data subjects, the Senior Business & Operations Manager / DPO will notify the affected individuals without undue delay including the name and contact details for the ICO, the likely consequences of the data breach and the measures the Schools have (or intended) to take to address the breach.

When determining whether it is necessary to notify individuals directly of the breach, the Senior Business & Operations Manager / DPO will co-operate with and seek guidance from the ICO and any other relevant authorities (such as the police).

If it would involve disproportionate effort to notify the data subjects directly (for

example, by not having contact details of the affected individual) then the Schools will consider alternative means to make those affected aware (for example by making a statement on the Schools website).

### Notifying Other Authorities

The Schools will need to consider whether other parties need to be notified of the breach. For example: -

- Insurers;
- Parents;
- Third parties (for example when they are also affected by the breach);
- Local authority;
- The police (for example if the breach involved theft of equipment or data).

This list is non-exhaustive.

### Assessing the Breach

Once initial reporting procedures have been carried out, the Schools will carry out all necessary investigations into the breach.

The Schools will identify how the breach occurred and take immediate steps to stop or minimise further loss, destruction or unauthorised disclosure of personal data. We will identify ways to recover correct or delete data (for example notifying our insurers or the police if the breach involves stolen hardware or data).

Having dealt with containing the breach, the Schools will consider the risks associated with the breach. These factors will help determine whether further steps need to be taken (for example notifying the ICO and/or data subjects as set out above). These factors include: -

- What type of data is involved and how sensitive it is;
- The volume of data affected;
- Who is affected by the breach (i.e. the categories and number of people involved);
- The likely consequences of the breach on affected data subjects following containment and whether further issues are likely to materialise;
- Are there any protections in place to secure the data (for example, encryption, password protection, pseudonymisation);
- What has happened to the data;
- What could the data tell a third party about the data subject;
- What are the likely consequences of the personal data breach on the schools; and
- Any other wider consequences which may be applicable.

The Schools recognises that Artificial Intelligence (AI) tools, including the approved provider Microsoft Copilot, can support teaching, learning, and administration when used responsibly. However, AI systems also present unique risks to data protection and privacy. This section outlines how AI-related data breaches are managed in line with the School's Data Protection and Safe Use of AI Policies.

## Definition of an AI-Related Breach

An AI-related data breach occurs when personal or special category data is accidentally or unlawfully disclosed, processed, or stored using an AI system.

Examples include:

- Entering personal, pupil, or staff-identifiable data into an AI tool or prompt;
- Using a non-approved AI service to process schools-related data;
- AI-generated content revealing or inferring personal information without authorisation;
- Security or access failures within approved AI systems that expose data.

## Reporting and Management

- All AI-related data breaches must be reported immediately to the Senior Business & Operations Manager and Data Protection Officer (DPO) following the school's standard breach reporting procedure.
- The DPO will assess whether the incident constitutes a reportable data breach under the UK GDPR, Data Protection Act 2018, and Data Protection and Digital Information (No. 2) Act 2024.
- All AI-related incidents will be logged in both the AI usage register and the data breach register.

## Containment and Notification

- The DPO will liaise with the AI provider (e.g. Microsoft Copilot) if the breach involves an approved hosted system.
- Where appropriate, the DPO will notify the Information Commissioner's Office (ICO) and affected individuals without undue delay.

## Prevention and Oversight

- Staff must only use the approved AI provider, Microsoft Copilot, through their schools-issued accounts for professional purposes.
- Staff must not enter identifiable personal, pupil, or staff data into Microsoft Copilot or any AI system unless explicitly authorised by the DPO.
- The School's AI provider will be reviewed annually to ensure compliance with data protection, hosting, and security standards.
- AI awareness and safe-use training form part of the School's annual data protection and safeguarding training.

## Ethical Use and Oversight

In line with the School's Catholic ethos, the use of AI will uphold values of respect, integrity, human dignity, and responsibility. All AI use must complement human judgement and adhere to the School's mission to provide a safe, fair, and ethical learning environment.

## Preventing Future Breaches

Once the data breach has been dealt with, the Schools will consider its security processes with the aim of preventing further breaches. In order to do this, we will: -

- Establish what security measures were in place when the breach occurred;
- Assess whether technical or organisational measures can be implemented to prevent the breach happening again;

- Consider whether there is adequate staff awareness of security issues and look to fill any gaps through training or tailored advice;
- Consider whether it's necessary to conduct a privacy or data protection impact assessment;
- Consider whether further audits or data protection steps need to be taken;
- To update the data breach register;
- To debrief governors/management following the investigation.

## **Reporting Data Protection Concerns**

Prevention is always better than dealing with data protection as an after-thought. Data security concerns may arise at any time and we would encourage you to report any concerns (even if they don't meet the criteria of a data breach) that you may have to the Senior Business & Operations Manager / DPO. This can help capture risks as they emerge, protect the Schools from data breaches and keep our processes up to date and effective.

## **Monitoring**

We will monitor the effectiveness of this and all of our policies and procedures and conduct a full review and update as appropriate.

Our monitoring and review will include looking at how our policies and procedures are working in practice to reduce the risks posed to the Schools.