

# DATA BREACH NOTIFICATION

## 1 C DETECTS A BREACH

### BREACH OF SECURITY

leading to accidental / unlawful:

disclosure or access to personal data to unauthorised person (CONFIDENTIALITY)



alteration of data (INTEGRITY)



loss of access or destruction of data (AVAILABILITY)



### NOTIFICATION:



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AND/OR

### RECOMMENDATIONS

1. THE CONTRACT SHOULD DETERMINE NOTIFICATION DUTIES



(the contract must contain detailed provisions on when and who at the processor will notify the controller)

2. INTERNALLY DOCUMENTED PROCEDURE



(everyone working at the organisation should be informed of the following: to whom and what to notify in a case of breach, who must document the breach and to whom he must report)

## 2 C ASSESSES THE RISK



probability



seriousness

### CRITERIA:

Type of breach

Nature, sensibility and amount of personal data

Difficulty of identifying individuals (directly, indirectly, encrypted...)

Serious individual consequences

Specific characteristics of individuals

Specific characteristics of controller (e.g. hospital or advertiser)

Number of affected individuals

**RISK ASSESSMENT for EVERY breach is key for timely and adequate action!!!**

**Every data breach must be internally documented by C IRRESPECTIVE OF THE RISKS IDENTIFIED**

### Legend



CONTROLLER



INFORMATION COMMISSIONER



PROCESSOR



INDIVIDUAL

## 3 C TAKES ACTION

### LOW RISK



(internal records)

#### EXAMPLES:

Loss of a USB stick containing encrypted personal data (C has a copy of data).

A short electricity black-out causes difficulties for customers to call C, so they could gain access to their records.

### PROBABLE RISK



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likely to result in a risk to the rights and freedoms of



#### EXAMPLES:

USB stick loss, the data were not correctly encrypted.

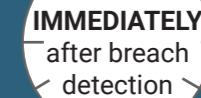
Loss of encrypted copies, C does not have a backup. Ransomware attack causes encryption, C does not have a backup (it is possible that individuals have to be informed)

### HIGH RISK

likely to result in a high risk to the rights and freedoms of



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#### EXAMPLES:

Credit card numbers of hotel guests are stolen during a cyber-attack.

Bank customer receives extract of another recipient (depends on data sensitivity).

User names, passwords and history of purchases by on-line customers get published.

ACTIONS DEPEND ON ASSESSED RISK



[www.ip-rs.si](http://www.ip-rs.si)  
Data breach notification

Template (in Slovene):  
Official notification on personal data breach



INFORMATION COMMISSIONER  
REPUBLIC OF SLOVENIA