

# Shiptonthorpe Parish Council

Chairman: Councillor Victor Lambert

White House Farm Town Street Shiptonthorpe YO433PE 07526774192



Shiptonthorpe Parish Council

Information Commissioner's Office  
Wycliffe House  
Water Lane Wilmslow  
Cheshire SK9 5AF

22<sup>nd</sup> September 2023

Dear Sir /Madam,

We write to formally inform yourselves of breaches within the Parish Council.

To inform you of the background the electorate in May 2023 elected eight new councillors and one was re-elected bringing the total to nine. I was duly elected to the role of Chairman and with the existing clerk we started to represent the community as a newly elected Parish Council.

Over the next few months some concern started to develop regarding the actions of the then Parish Clerk/Proper officer. We also found that most systems had not been updated for some considerable time and we started to bring policies such as GDRP up to date and line with requirements. The clerk/proper officer robustly stated that all was fully compliant.

It also became clear that we as a council needed to commence investigations into the performance of the Clerk and duly informed them that an investigation would be held. However before this could be commenced the Clerk tendered their resignation serving notice to leave the councils employment. The investigation did not proceed during the notice period.

At the end of the notice period the councils records, Lap top and back up hard disk was returned. After looking at these records it became clear that some files and e mails had been deleted and some records found that showed that Freedom of Information requests had not been complied with.



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Another instance was an at least one letter had been sent neither authorised by council and without knowledge of Chairman or Vice Chairman.

Also numerous e mails had been sent without knowledge or approval of council.

The Proper Officer had assured the Parish Council was compliant but we wish to advise that the Parish Council may not have been compliant to the law.

We want to apologise for the error and it was not the intention of the Parish Council to breach statute and or not meet ICO standards.

Following on from the investigations the Parish Council is developing a data map to ensure that any data noncompliance should not happen again and this has been a lesson learning process to meet obligations in future.

Yours Faithfully



Victor Lambert

Chairman

Mobile 07526774192

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From: icocamework@ico.org.uk  
To: victor.lambert@shiptonthorpeparishcouncil.co.uk;  
CC:  
Subject: ICO Decision - IC-262502-V2H7  
Direction: Outgoing  
Date Sent: 20/11/2023 15:55

20 November 2023

**ICO Reference Number: IC-262502-V2H7**

Dear Victor Lambert,

I am writing further to your personal data breach report of 22 September 2023 regarding some concerns about GDPR compliance.

Thank you for the information you have provided in response to my enquiries.

**Data security requirements**

You are required to have appropriate technical and organisational measures in place to ensure the security of personal data.

**Our decision**

We have considered the information you have provided and we have determined that no further action by the ICO is necessary on this occasion.

This decision is based on the information we have recorded about the breach. This decision is based on any potential data breaches which may have occurred within the Parish council.

Your correspondence states that, while you are not able to explicitly confirm that data has been deleted due to the nature of the incident, you believe that the majority of the lost data relates to internal councillor interaction. This suggests a lower likelihood of risk of harm or detriment than if documents or data relating to parishioners or members of the public had been deleted.

You have also detailed the changes you are making to your internal policies and procedures. This includes implementing new data protection policies, a new Freedom of Information policy, a new information security policy and a retention policy. These policies will allow your organisation to collect, store, manage and communicate personal data in a much more efficient and effective manner. In addition to this, you are updating your email and document storage systems to make them more efficient and user friendly. The changes you are making indicate that you are taking reasonable steps to ensure your organisation has appropriate technical and organisational measures in place to process personal data, in line with your GDPR obligations.

However, we recommend that you review the causes of this incident to ensure that you understand how and why it occurred, and what steps you need to take to prevent it from happening again. In particular:

- Ensuring that your training relating to your new policies and procedures gives sufficient practical guidance to staff in how to comply with the legislation. This training could be role specific, interactive and contain practical examples which are relevant to your organisation. This incident, suitably redacted, may make a useful training tool. Please see [ICO's training resources](#) for further guidance.

- Evaluating your internal information retention periods to ensure that personal data is only held if you need it and for as long as you need it. You should periodically review this data and erase or anonymise it when it is no longer legitimately necessary.
- Regularly highlighting the importance of data security to all staff. This should be emphasised within training and could also be reiterated in frequent reminders. For example, posting procedural guidelines in commonly accessed spaces within the office or sending out emails or bulletins at regular intervals.
- Taking steps, where possible, to identify instances where the Council has not complied with it's information access obligations and attempting to remedy this where possible.

We recognise that your organisation appears to be taking significant steps to remedy the data protection issues that you have identified. If you require any assistance with specific elements of these changes, please feel free to get back in touch with us. You may wish to use the guidance on [our website](#), or alternatively you can call us (0303 123 1113) or email ([icocasework@ico.org.uk](mailto:icocasework@ico.org.uk)) with a specific enquiry.

Please note that we may make additional enquiries if we become aware of new information which affects the circumstances of this case.

Thank you for reporting the incident. Further information and guidance relating to [data security](#) is available on our website.

We now consider this matter to be closed.

Yours sincerely,

Lizzie Longmore (she/her)  
Lead Case Officer  
Information Commissioner's Office  
0330 414 6162

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

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