

[Redacted]

By email only to: [Redacted]

7 April 2022

Dear [Redacted],

Case Reference Number INV/0881/2021

I write to inform you that the ICO has now completed its investigation into the disclosure of personal information by North Yorkshire County Council (NYCC).

In summary, it is my understanding that on 27 and 28 October 2021, an NYCC employee failed to accurately complete the print to post process and as a result two envelopes containing multiple letters were sent to two different recipients.

This case has been considered under the United Kingdom General Data Protection Regulation (the UK GDPR) due to the nature of the processing involved.

Our consideration of this case

I have investigated whether NYCC has complied with the requirements of data protection legislation.

In the course of my investigation I have noted that this breach is a result of human error as the employee who caused this breach was trained in the print to post process that was in place at the time of the incident.

We have also considered and welcome the remedial steps taken by NYCC in light of this incident. In particular the introduction of the print to post checklist and the mail centraliser currently being integrated into the rest of the system.

However, after careful consideration and based on the information provided, we have decided to issue NYCC with a reprimand in accordance with Article 58 of the UK GDPR.

Details of reprimand

The reprimand has been issued in respect of the following processing operations that have infringed the UK GDPR:

- Article 5(1)(f) UK GDPR states that personal data should be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

In particular, NYCC did not have a suitable in policy or process to ensure that this incident did not happen. The policy that was in place at the time of the incident was not the same that was being followed by the regular member of staff who printed letters. The information that has been disclosed as a result of this incident is of a sensitive nature and extra care should have been taken to ensure its security. Further to this, basic oversight steps, such as the checklist, were not in place at the time of the incident and if they had been implemented pre-incident then the likelihood of the incident occurring would have been severely diminished.

Further Action Recommended

The Commissioner recommends that NYCC could take certain steps to improve compliance with UK GDPR. In particular:

1. NYCC should continue to review the print-to-post process to ensure that the security of personal data is a top priority.
2. NYCC should ensure that all changes to the print-to-post process are fully outlined in the policy and that any changes are highlighted to staff as refresher training.
3. Ensure that all remedial measures from this incident are fully implemented and highlighted to staff.

Whilst the above measures are suggestions, I would like to point out that if further information relating to this subject comes to light, or if any further incidents or complaints are reported to us, we will revisit this matter and further formal regulatory action may be considered as a result.

Further information about compliance with the data protection legislation which is relevant to this case can be found at the following link:

<https://ico.org.uk/for-organisations/guide-to-data-protection/>

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Therefore, we may publish the outcome of this investigation to publicise our regulatory authority and new powers under the UK GDPR. We will publish information in accordance with our Communicating Regulatory and Enforcement Activity Policy, which is available online at the following link:

https://ico.org.uk/media/about-the-ico/policiesandprocedures/1890/ico_enforcement_communications_policy.pdf

Please let us know if you have any concerns about this.

Thank you for your co-operation and assistance during the course of our investigation.

We now consider the matter closed.

Yours sincerely,

[Redacted signature block]

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Information Commissioner's Office

(<https://ico.org.uk/about-the-ico/our-information/complaints-and-concerns-datasets/>).

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