From: noreply@ico.org.uk
To: pdbreachnotification@ico.org.uk;
CC:
Subject: Undercover Policing Inquiry personal data breach report form (Cyber: No)
Direction: Incoming
Date Received: 07/12/2023 16:01

External: This email originated outside the ICO.

Personal data breach report

Undercover Policing Inquiry submitted the personal data breach report form with the following information:

Why are you reporting the breach to the ICO?
I believe the incident meets the threshold to report

Tick this box to confirm: I am authorised to report this breach on behalf of my organisation.
True

When did the breach happen?
Two cards containing government data classified Secret from closed legal hearings have been unaccounted for since 22 November.

When did you find out about the breach?
30/11/2023

Please enter a time.
13:00

Are you reporting the breach within 72 hours of finding out about it?
No

Why were you delayed in reporting the breach?
Colleagues did not escalate this to me as the Department's DPO until 5 December.

How did the organisation find out the breach had happened?
When looking to use the Secure Digital (SD) cards again they could not be located in the usual locked cabinet.

What happened?
The cards contain transcripts of three closed sensitive hearings classified at SECRET, relating to three former Undercover Officers, some of whom have protected real name identities. One assessment is that wrongful disclosure in relation to one matter is 'significant and capable of damaging national security if made public'. The mitigation is that despite inconclusive searches the SD cards could still be somewhere on site.

Was the breach caused by a cyber security attack?
No

How did the breach happen?
Procedural oversight - not returned to the locked safe by an unidentified individual.

Are you able to identify staff members involved in this breach?
Don't know

What personal data is involved in the breach?
Undercover Officers, identities, covert intelligence and tactics being reported to our Public Inquiry.

What categories of personal data were included in the breach? Tick all that apply.
Data revealing racial or ethnic origin
Political opinions
Other

Give details of the other categories of data.
Protected identity

What categories of people were affected by the breach? Tick all that apply.
Employees
Other

Give details of the other categories of people.
Former undercover police officers

How many people could be affected?
Three

How many personal data records have been affected?
Three

What was, or could be the harm to individuals?

Protected identities because of the covert intelligence tactics deployed by former Undercover Officers

Is the personal data breach likely to result in a high risk to data subjects?
Yes

Have you told the people affected about the breach?
Not yet – but we are planning to contact them

What preventative measures did you have in place at the time of the breach?
Everyone involved knew these SD cards containing this security classification of data had to be stored in a specified safe in the office. Security inductions also cover this.

How confident are you that you can manage the effects of the breach and stop it happening again?
Somewhat confident - I know what to do next but I'd like advice from the ICO

What steps have you taken to contain the breach and limit its impact?
None - there is still the chance these cards are unaccounted for or lost within the office.

What steps have you, or will you take to stop a similar breach happening in the future?
Internal process guides and protocols will now be revised to make this even clearer.

Have you, or are you going to report the breach to any other organisations?
Yes

What other organisations are you reporting the breach to?
NPCC, Security Services.

What is your organisation's name?
Undercover Policing Inquiry

What is your organisation's registered address?
Home Office
2 Marsham Street
LONDON
SW1P 4DF
GB

Are you registered with the ICO?
Yes

What is your ICO registration number?
ZA147386

What is the size of your organisation?
51-249 staff or volunteers

What is your organisation's sector?
Central government

Is your organisation involved with or signed up to a data protection code of conduct or certification scheme approved by the ICO?
We have no involvement with a code of conduct or certification scheme

What is your name?
David Martindale

What is your email address?
[redacted]

What is your phone number?
[redacted]

Is there a best day or time to contact you?

Is there anything else you want to add?

From: [redacted]
To: icocasework@ico.org.uk;
CC:
Subject: Reference Number IC-275909-V8K9
Direction: Incoming
Date Received: 12/12/2023 09:28

External: This email originated outside the ICO.
I wanted to provide two urgent updates in relation to this matter:

1. The main security concern relating to a risk to national security has now been eliminated. Further research has shown us that this document was **not** present on the SD card.
2. The security breach was **not** reported outside of the 72 hour deadline, as originally indicated. The loss of two cards was discovered on 5 December and not in the preceding week as first thought.

One card has data on it, considered not to be too sensitive. Unfortunately it has still not been accounted for.

Kind regards

David Martindale
Data Protection Officer & Head of Information Management
Undercover Policing Inquiry (UCPI)
Mob: [redacted]