

## **GBS Malta**

### **Data Breach Policy and Investigation Procedure**

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#### **1. Purpose**

1.1 The purpose of this policy is to outline GBS Malta's approach to managing and investigating data breaches. This policy and procedure set out a framework for identifying, containing, and investigating breaches to minimise impact and meet regulatory requirements.

#### **2. Scope**

2.1 This policy applies to all staff, students, contractors, and third parties who process personal data on behalf of GBS Malta. It covers all breaches involving GBS Malta's systems, facilities, and services.

#### **3. Definition of a Data Breach**

3.1 A data breach is a security incident that leads to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data. Types of data breaches include:

- (i) *Confidentiality breach*: Unauthorised access to personal data.
- (ii) *Integrity breach*: Unauthorised alteration of personal data.
- (iii) *Availability breach*: Loss or destruction of personal data.

#### **4. Data Breach Response Policy**

4.1 GBS Malta is committed to the following principles:

- Act promptly to contain and mitigate data breaches.
- Assess the risk to individuals' rights and freedoms.

- Report significant breaches to the Maltese Information Commissioner's Office (<https://idpc.org.mt>) within 72 hours.
- Notify affected individuals if there is a high risk of harm.
- Document all breaches, including the investigation findings and corrective actions taken.

## 5. Data Breach Reporting Procedure

5.1 The following should be adhered to when reporting a data breach or potential data breach:

- (i) *Immediate Reporting:* Any staff, student, or contractor who becomes aware of a data breach should immediately report, using GBS Malta's Data Breach Reporting Form, it to the Data Protection Officer (DPO).
- (ii) *Initial Assessment:* The DPO will assess the report and determine whether a data breach has occurred. If confirmed, the DPO will initiate the formal investigation and containment process.
- (iii) *Record Keeping:* All breaches, regardless of severity, will be recorded in 's Data Breach Register. This record will include details of the breach, actions taken, and the outcome of the investigation.

## 6. Data Breach Investigation Procedure

### 6.1 Containment and Recovery

- Identify and secure affected systems and data to prevent further data loss.
- Engage IT and relevant individuals to help contain the breach.
- Restore any affected systems, if needed, to minimise service disruption.

### 6.2 Risk Assessment

- Evaluate the type and sensitivity of the personal data involved.
- Determine the likelihood and severity of harm to individuals (e.g., financial harm, identity theft).
- Consider the volume of data affected and the number of individuals impacted.

### 6.3 Notification

Internal Notification: Inform relevant areas/individuals such as IT, legal, etc. to ensure coordinated response efforts.

### 6.4 External Notification - ICO Notification

If the breach poses a risk to individuals' rights and freedoms, the DPO will notify the ICO within 72 hours of becoming aware of the breach, providing information about the nature of the data breach, including categories and approximate number of individuals affected.

### 6.5 Likely consequences of the breach - measures taken or proposed to address the breach.

Individual Notification: where there is a high risk of harm GBS Malta will inform affected individuals without undue delay, providing clear information on:

- Nature of the data breach.
- Possible impact and recommended steps to mitigate harm.

## 6.6 Documentation

- (i) Document the breach in the Data Breach Register.
- (ii) Record all actions taken, from detection to notification, including justifications for decisions made.
- (iii) Maintain this documentation as part of GBS Malta's accountability obligations under the EU GDPR.

## 6.7 Investigation and Root Cause Analysis

- Conduct a detailed investigation to identify the root cause of the breach.
- Assess any vulnerabilities in systems or processes that contributed to the breach.
- Compile a report outlining the cause, scope, and impact of the breach, as well as actions taken to prevent a recurrence.

## 6.8 Corrective Actions and Improvement

- (i) Identify and implement changes to mitigate future risks, such as improving security measures, updating procedures, or providing additional staff training.
- (ii) Conduct a follow-up review to ensure the corrective actions are effective.
- (iii) Present findings and lessons learned to relevant staff at GBS Malta.

## 7. Data Breach Register and Reporting

7.1 All data breaches are to be recorded in GBS Malta's Data Breach Register, which the DPO manages.

7.2 A regular report on data breaches, including trends, risks, and improvements, will be presented to GBS Malta's senior management team and the Executive Board.

## 8. Training and Awareness

8.1 Regular training on data protection and data breach response will be provided to all staff, with specialised training for those in high-risk roles (e.g., IT, research, HR).

8.2 Awareness campaigns will reinforce the importance of promptly reporting data breaches.

## 9. Monitoring and Review

9.1 This policy will be reviewed annually or in response to significant data protection developments.

9.2 The DPO will monitor compliance with the data breach procedures and report any significant issues to senior management.

## **10. Contact Information**

10.1 For queries, clarification or to report a data breach, please contact the Data Protection Officer.

## **11. GBS Malta Data Protection Documents**

- (i) GBS Malta Data Protection Policy
- (ii) GBS Malta Data Breach Policy and Investigation Procedure
- (iii) GBS Malta Data Breach Reporting Form
- (iv) GBS Malta Data Breach Investigation report Form
- (v) GBS Malta Data Breach Register

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