

DATA PROTECTION OFFICE NEWS

February 2023

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DPO Newsletter 44

ICO fines

The Information Commissioner's Office have recently confirmed that, for the next two years at least, they will not issue fines to public authorities. Instead, they would choose to use corrective measures. Please see the following letter, which confirms this:

[Open letter from UK Information Commissioner John Edwards to public authorities | ICO](#)

Of course, GP Practices should continue to ensure they are complying with the Data Protection legislation and where appropriate, advise the ICO if there has been a data breach.

Reminder re breach reporting

If a data breach occurs at your practice, you will need to report the incident at the earliest opportunity and certainly within 72 hours, initially via the [Data Security and Protection Toolkit \(dsptoolkit.nhs.uk\)](https://dsptoolkit.nhs.uk). There is a "Report an Incident" tab at the top of the homepage and by completing this section, you will then be advised whether you need to escalate the breach to the Information Commissioner's Office, who, if need be, can be contacted on 0303 123 1113.

As dictated by GDPR Article 34, *"When the personal data breach is likely to result in a high risk to the rights and freedoms of natural persons, the controller shall communicate the personal data breach to the data subject without undue delay."*

Please remember that the majority of data breaches occur due to human error and for that reason, there will always be data breaches! It would be very unusual for a practice not to have reported an incident via the DSPT in any one year.

If there is a data breach and you wish to discuss it with me, please do not hesitate to contact me on 07951 530 417 or Jane.hilldpo@nhs.net