



Data Breach Response Plan

Cloud Paper Group Pty Ltd

Introduction

The passage of the Privacy Amendment Act 2017 established the Notifiable Data Breaches (NDB) scheme in Australia, which applies to all agencies and organisations with existing personal information security obligations under the Australian Privacy Act 1988 (Privacy Act) from 22 February 2018.

The NDB scheme introduces an obligation to notify the Office of the Australian Information Commissioner (Commissioner) and individuals whose personal information is affected in a data breach that is likely to result in serious harm. This notification must include recommendations about the steps individuals should take in response to the breach. CPG acknowledges the obligation to report an eligible data breach to the OAIC.

This Data Breach Response Plan (Plan) sets out procedures and clear lines of authority for CPG staff in the event that CPG experiences a data breach or suspected data breach. The Plan enables CPG to contain, assess and respond to data breaches in a timely fashion, to help mitigate potential harm to affected individuals. It sets out contact details for the appropriate staff in the event of a data breach, clarifies the roles and responsibilities of staff, and documents processes to assist the CPG to respond to a data breach.

A data breach occurs when personal information is lost or subjected to unauthorised access, modification, use or disclosure or other misuse. Data breaches can be caused or exacerbated by a variety of factors, affect different types of personal information and give rise to a range of actual or potential harms to individuals, agencies and organisations.

CPG manages personal information on behalf of its customers. It is important to stress that the data does not belong to CPG, it belongs to the customer, and consequently any breach of customer data must be communicated to the customer.

Our standard practice is CPG will never communicate directly with people who are contained in customer data - for example parents, students and staff of a school - without the explicit permission of the customer. The exception is where in our view a notifiable breach has occurred and the school does not have the mechanisms to readily target notifications to the affected people, and CPG must discharge its obligation under the Act to notify individuals at likely risk of harm.

Data Breach Response Phases

We have a number of measures to ensure that we identify, contain, remediate and evaluate security incidents and data breaches. CPG's Cyber Incident Response Team (CIRT) invokes the Plan and the Incident Response Plan, that includes, among other factors, the notification to affected customers without undue delay of any breach that is likely to result in actual or potential harm to individuals, agencies and organisations.

CPG's data breach response process below is followed when handling a data breach.

<p>1. Identification</p>	<p>Responsibility: All Staff Timeframe: Immediately</p> <p>When a potential data breach is detected by a staff member or customer, immediately notify the CEO via phone or email with attachment.</p>
<p>2. Evaluation</p>	<p>Responsibility: Chief Executive Officer Timeframe: Within 30 days</p> <p>Evaluate if a breach has occurred, or is likely to have occurred. Determine what response is required.</p> <p>Escalate to Stage 3 if the breach falls under the Notifiable Data Breaches scheme.</p>
<p>3. Implementation of Data Breach Response</p>	<p>Responsibility: Cyber Incident Response Team Timeframe: Within 7 days</p> <p>There are four key steps to consider when responding to a breach or suspected breach.</p> <p>Step 1: Contain the breach and do a preliminary assessment Step 2: Evaluate the risks associated with the breach Step 3: Notification Step 4: Prevent future breaches</p>

1. Identification

If a staff member discovers that a breach may have occurred (or is notified by a customer), they must immediately notify CEO, in person/by telephone and document via email and attachment as much detail as is known including:

- Name of School/Customer
- Name(s) of affected people, if known
- Evidence of breach - copies of any material which might constitute a breach

2. Evaluation

The CEO will take responsibility for evaluation of the breach:

- Evaluate if a breach has occurred, or is likely to have occurred
- Document evaluation outcomes
- Determine if a breach has occurred

What constitutes an eligible data breach?

An eligible data breach occurs when three criteria are met:

- There is unauthorised access to, or unauthorised disclosure of personal information, or a loss of personal information, that an entity holds
 - This is likely to result in serious harm to one or more individuals, and
 - The entity has not been able to prevent the likely risk of serious harm with remedial action
- 'Serious harm' can be psychological, emotional, physical, reputational, or other forms of harm
- Understanding whether serious harm is likely or not requires an evaluation of the context of the data breach.

When should the CEO escalate a data breach?

The CEO may use discretion in deciding whether to escalate the breach to Step 3. Some data breaches may be comparatively minor, and able to be dealt with easily without escalation.

For example, it might be discovered either a member of CPG staff, or a customer, may as a result of human error, send an email containing personal information to the wrong recipient. Depending on the sensitivity of the contents of the email, if the email can be recalled, or if the sender can contact the recipient and the recipient agrees to delete the email, it may be that there is no utility in escalating the issue.

The CEO should use their discretion in determining whether a data breach or suspected data breach requires escalation. In making that determination, the CEO should consider the following questions:

- Are multiple individuals affected by the breach or suspected breach?
- Is there (or may there be) a real risk of serious harm to the affected individual(s)?
- Does the breach or suspected breach indicate a systemic problem in CPG processes or product?

- Could there be media or stakeholder attention as a result of the breach or suspected breach?

If the answer to any of these questions is 'yes', then it may be appropriate for the CEO to escalate the issue to Step 3.

CEO to document minor breaches

If the CEO decides not to escalate a minor data breach or suspected data breach the CEO should create an incident report document, saved on the CPG Google Drive, containing:

- description of the breach or suspected breach
- action taken by the CEO to address the breach or suspected breach
- the outcome of that action, and
- the CEO's view that no further action is required

3. Implementation of Data Breach Response

There is no single method of responding to a data breach. Data breaches must be dealt with on a case-by-case basis, by undertaking an assessment of the risks involved, and using that risk assessment to decide the appropriate course of action.

There are four key steps to consider when responding to a breach or suspected breach. The CIRT should ideally undertake steps 1, 2 and 3 either simultaneously or in quick succession.

Step 1: Contain the breach and do a preliminary assessment

During this phase, CIRT will:

- Convene a meeting
- Immediately contain breach - for example, if emails are still in queue, stop the queue and delete
- Ensure evidence is preserved that may be valuable in determining the cause of the breach, or allowing CPG to take appropriate corrective action
- If the breach involves customer data immediately establish contact with customer staff member designated as the data breach contact; in absence of a specific contact, the primary Administration contact for the customer

Step 2: Evaluate the risks for individuals associated with the breach

Under the direction of the CEO, the CIRT will:

- Conduct initial investigation, and collect information about the breach promptly, including:
 - the date, time, duration, and location of the breach
 - the type of personal information involved in the breach
 - how the breach was discovered and by whom
 - the cause and extent of the breach
 - a list of the affected individuals, or possible affected individuals
 - the risk of serious harm to the affected individuals
 - the risk of other harms

- Determine whether the context of the information is important
- Establish the cause and extent of the breach
- Assess priorities and risks based on what is known
- Keep appropriate records of the suspected breach and actions of the response team, including the steps taken to rectify the situation and the decisions made
- Provide this information to the customer.

Step 3: Consider breach notification

The CIRT will follow these procedures for breach notification:

- Determine who needs to be made aware of the breach (internally, and potentially externally) at this preliminary stage
- Discuss with customer(s) and determine whether to notify affected individuals – is there a real risk of serious harm to the affected individuals? In some cases, it may be appropriate to notify the affected individuals immediately; e.g., where there is a high level of risk of serious harm to affected individuals
- Consider whether others should be notified, including police/law enforcement, or other agencies or organisations affected by the breach, or where CPG is contractually required or required under the terms of a contract or similar obligation to notify specific parties
- Determine whether notification to the Australian Information Commissioner is required. If it is required, provide a copy of the notification to the customer.

School Contacts

CPG will request that all of its customers advise the appropriate contact person with whom CPG will liaise in the event of a data breach. Where a school has not provided this contact person, CPG will liaise with the Account Administrator as designated in CPG Admin System.

Who to Notify

Under the Act CPG must notify any individuals that are at likely risk of serious harm as a result of a data breach. CPG must also notify the Australian Information Commissioner.

There are three options for notification:

- Notify all individuals whose personal information is involved in the eligible data breach
- Notify only the individuals who are at likely risk of serious harm; or
- Publish your notification, and publicise it with the aim of bringing it to the attention of all individuals at likely risk of serious harm

CPG will make a decision about which is the most appropriate option in consultation with the affected school.

Notification to the Office of the Australian Information Commissioner

To notify the Commissioner, the following Notifiable Data Breach Form will be completed:

<https://forms.uat.business.gov.au/smartforms/landing.htm?formCode=OAIC-NDB>

Step 4: Review the incident and take action to prevent future breaches

During this phase, the CIRT will:

- Fully investigate the cause of the breach
- Report to CPG Board on outcomes and recommendations:
 - Update Incident Response Plan and other security plans if necessary
 - Make appropriate changes to policies and procedures if necessary
 - Revise staff training practices if necessary
 - Consider the option of an audit to ensure necessary outcomes are effected
- Report to the customer in summary of the outcomes and recommendation

Key Contacts

David Eedle, Chief Executive Officer

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References

Notifiable Data Breaches Scheme: <https://www.oaic.gov.au/privacy/notifiable-data-breaches>

Document History

Version	Effective Date	Description of Change	Approved by
1.0	January 2018	First version	Fiona Boyd, CEO
2.0	20 Jul 2022	Second version	Board