

51 North Bridge Street
Hawick
TD9 9PX

By email only to: margaret@waverley-housing.co.uk

20 April 2020

Dear Margaret Hogg

Case Reference Number: COM0920798

I am the Principal Cyber Investigation Officer for the Information Commissioner's Office (ICO) and I have been assigned your breach report for investigation.

This case has been considered under the General Data Protection Regulation (GDPR) due to the nature of the processing involved and that the incident occurred on or after 25 May 2018.

Based on the information you have provided we have decided that regulatory action is not required in this case.

The requirements of the GDPR

We have considered whether Waverley Housing has complied with the requirements of Article 5(1(f)) of the GDPR which states that:

'Personal data shall 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)'

Our consideration of this case

It is likely from the evidence submitted that your organisation did not process personal data with an appropriate level of security which allowed the attack to take place. However, in this particular case you have maintained a low level of risk to data subjects, which means we have decided not to take regulatory action for this particular case. This is because;

- The nature and seriousness of the breach pertaining to personal data
- The number of individuals affected and how they were effected
- The duration of the breach
- The lack of evidence suggesting data exfiltration or sensitive data access

- The lack of reported detriment
- Early notification to the ICO

If any new information has come to light during your own investigation, or if any detriment has occurred to data subjects during the investigation that you have not informed us of, you will be required to contact us to provide an update. Specifically, if any detriment comes to the affected data subjects due to this incident or if any evidence of data exfiltration comes to light. You can do so by replying to this email, otherwise, we now consider this matter closed.

Further Resources

The National Cyber Security Centre (NCSC) provides useful steps to prevent malware, including ransomware, which can be accessed at the following [link](#)

You may find our practical guide to IT security useful as it is specifically written with small and medium sized business in mind. You can read this at the following [link](#)

Our own GDPR guidance on security also provides useful advice to support you in protecting your systems and data. You can read this at the following [link](#)

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

Yours sincerely

William Holmes Poole
Principal Cyber Investigations Officer
Information Commissioner's Office
0330 313 1760

Please note that we are often asked for copies of the correspondence we exchange with third parties. We are subject to all of the laws we deal with, including the General Data Protection Regulation, the Data Protection Act 2018 and the Freedom of Information Act 2000. You can read about these on our website (www.ico.org.uk).

The ICO publishes the outcomes of its investigations. Examples of published data sets can be found at this link (<https://ico.org.uk/about-the-ico/our-information/complaints-and-concerns-data-sets/>).

Please say whether you consider any of the information you send us is confidential. You should also say why so that we can take that into consideration.

However, please note that we will only withhold information where there is good reason to do so.

For information about what we do with personal data see our privacy notice at www.ico.org.uk/privacy-notice