

**Finance and Corporate Services**  
Information Management

16 August 2012  
FOIA reference: F0001377

Dear XXXX

I am writing in respect of your recent application of 12 July 2012, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

*During the period from 1 July 2009 to 1 July 2012:*

- 1. The total number of times there has been a breach of the Data Protection Act including data loss in the period,*
- 2. The total number of employees that have been disciplined internally for breaches of Data Protection Act in the period*
- 3. Please also provide details of each breach of the Data Protection Act, for example the type of Data that was involved and the number of people affected.*
- 4. Details of action taken, including whether each breach was reported to the Information Commissioner's Office*

Our response:

In assessing your request in line with the provisions of the Freedom of Information Act 2000 (FOIA), we are pleased to be able to provide the information below.

The CAA has a Data Breach Protocol (DBP) that states that any loss of personal data must be reported internally. The protocol details the steps to be taken in order that an incident is reported and investigated however minor the risk is considered to be by staff. The obligations set out in the DBP apply to anyone handling personal data, wherever such data is being processed.

The DBP has been in place since August 2011, so we have provided details of each incident reported to us since this time. In total there have been 18 reports, most of which relate to misdirected mail ('misdirected mail' may include email, by post, inaccurate address details or addressee, or sent to the wrong address). Not all incidents are considered to be 'data breaches', however, such as where the privacy of an individual has not been compromised. Incidents such as these are considered to be potential data breaches. The DBP encourages open reporting and, therefore, unless the data breach is considered to be deliberate or there are a number of repeat incidents by any one individual, no disciplinary action will be taken. I have, therefore, removed this column from your table as no disciplinary action has been taken against any one individual relating to data breaches in isolation.

**Civil Aviation Authority**

Aviation House GW Gatwick Airport South Crawley West Sussex England RH6 0YR [www.caa.co.uk](http://www.caa.co.uk)  
Telephone 01293 768512 [rick.chatfield@caa.co.uk](mailto:rick.chatfield@caa.co.uk)

With regards to point 4 of your request, as the reporting of data breaches to the ICO is not yet mandatory, it is the CAA's view that unless the data breach is considered to be significant or through mitigating actions the CAA failed to prevent any adverse affect on an individual's privacy, it would not be reported to the ICO.

<b>Organisation</b>	<b>Description</b>	<b>Data affected</b>	<b>Result/Action Taken</b>
N/A	Misdirected mail	Licence	Customer contacted by CAA to arrange collection in agreement with recipient.
Printers	Unsealed envelopes (unknown quantity)	Name, financial details	Our printers were reminded of their data processor obligations to protect personal data.
N/A	Misdirected mail	Name, address	Address updated and redirected.
N/A	Misdirected mail	Name, Theoretical exam results	The package containing unknown quantity of exam results was returned unopened and forwarded to correct venue. Exam dept reminded of our data protection obligations.
N/A	Misdirected mail	Name	Staff reminded of data protection obligations.
N/A	Misdirected mail	Name	Staff reminded of data protection obligations.
N/A	Misdirected mail	Name, personal details	Apology letter sent and staff reminded of data protection obligations.
N/A	Misdirected mail and sent in error	Name	Staff reminded of data protection obligations.
N/A	Misdirected mail	Name	Staff reminded of data protection obligations.
N/A	Misdirected mail	Name, personal details	Apology letter sent and individual given one-to-one training on data protection principles and our obligations.
N/A	Failure to redact personal data from an FOI response	Names, opinions	Information removed from the FOI disclosure log and redacted before republication.
N/A	Misdirected mail	Personal details	Staff reminded of data protection obligations.
N/A	Unauthorised access to file	Name, medical record	Access by another contracted doctor, so confidentiality maintained and reminder given of data protection obligations, including medical department's access authorisation process.
N/A	Forwarded attachment to email in error	Name, address	Information already in public domain, but apology letter sent and staff advised of data protection obligations.
N/A	Forwarded email	Name, financial details	Customer expected, but had not given consent to, onward transmission to enable a refund by supplier. Staff reminded that consent must be obtained.

N/A	Misdirected mail	Name, incident details	Apology offered to affected individuals and individual staff member reminded of data protection obligations.
N/A	Misdirected mail	Name, incident details	Apology offered to affected individuals and individual staff member reminded of data protection obligations.
N/A	Misdirected mail	Name, booking details	Re-directed

If you are not satisfied with how we have dealt with your request in the first instance you should approach the CAA in writing at:-

Mark Stevens  
 External Response Manager  
 Civil Aviation Authority  
 Aviation House  
 Gatwick Airport South  
 West Sussex  
 RH6 0YR

[mark.stevens@caa.co.uk](mailto:mark.stevens@caa.co.uk)

The CAA has a formal internal review process for dealing with appeals or complaints in connection with Freedom of Information requests. The key steps in this process are set in the attachment.

Should you remain dissatisfied with the outcome you have a right under Section 50 of the Freedom of Information Act to appeal against the decision by contacting the Information Commissioner at:-

Information Commissioner's Office  
 FOI/EIR Complaints Resolution  
 Wycliffe House  
 Water Lane  
 Wilmslow  
 Cheshire  
 SK9 5AF

[www.ico.gov.uk/complaints.aspx](http://www.ico.gov.uk/complaints.aspx)

Should you wish to make further Freedom of Information requests, please use the e-form at <http://www.caa.co.uk/foi>.

Yours sincerely

Rick Chatfield  
 FoIA & EIR Case Manager

## **CAA INTERNAL REVIEW & COMPLAINTS PROCEDURE**

- The original case to which the appeal or complaint relates is identified and the case file is made available;
- The appeal or complaint is allocated to an Appeal Manager, the appeal is acknowledged and the details of the Appeal Manager are provided to the applicant;
- The Appeal Manager reviews the case to understand the nature of the appeal or complaint, reviews the actions and decisions taken in connection with the original case and takes account of any new information that may have been received. This will typically require contact with those persons involved in the original case and consultation with the CAA Legal Department;
- The Appeal Manager concludes the review and, after consultation with those involved with the case, and with the CAA Legal Department, agrees on the course of action to be taken;
- The Appeal Manager prepares the necessary response and collates any information to be provided to the applicant;
- The response and any necessary information is sent to the applicant, together with information about further rights of appeal to the Information Commissioners Office, including full contact details.