

Professor Brad Blitz

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Tel. [REDACTED]

Email: [REDACTED]

**BY EMAIL**

6 February 2021

Jessica Farmer  
Monitoring Officer  
Barnet Council  
2 Bristol Ave  
London NW9 4EW

**Re. Data breach and communications from LB Barnet Planning Team**

Dear Ms Farmer,

I am writing to alert you to a data breach and to ask that you conduct a full investigation.

On Thursday, 21 Jan at 17:42 Ngaire Thomson, Planning Officer for LB Barnet Council, sent an email to a number of individuals who had registered their interest to attend a Virtual consultation meeting regarding a document developed by Barnet Council, the 'Draft The Burroughs & Middlesex University SPD'. The consultation was to take place on MS Teams.

In the process, Ngaire Thomson revealed the participants' email addresses, most of which were personal. (See: Attached list of participants - screenshot). This amounted to a data breach because there was no reason to broadcast everyone's email address.

In their email, Ms. Thomson writes,

'I have attempted to ensure that your email addresses are protected and that everyone does not receive the full list of attendees, as is required by GDPR, however if the system has not co-operated and emails are made visible please do not use this list for your personal purposes.' (See attached Email 1).

However, the risk of releasing email addresses could have been avoided by using proper procedures.

On 27 January 2021, in conversation with one of the persons named in the email list provided, by Ngaire Thomson, I learned that my email had also been made public.

On 3 February 2021, Alexander Fischbaum, who had been included in the email sent from Ngaire Thomson, wrote to others included in the email chain to inform them of the data breach. Benjamin Bowman responded by email to the whole group, and included Ngaire Thomson's email to all participants. (See attached Email 2).

On 5 February 2020, Nick Lynch, Senior Planning Manager for Barnet Council sent an email to those named in the disclosed email list, and copied in Neeru Kareer, Assistant Director, Capita, Local Public Services, and, Paula O'Domody, Business Manager, Planning, Building Control & Street Naming and Numbering at Regional Enterprise, Capita. Nick Lynch wrote:

'I am writing to apologise for the data breach of February 3rd in which your email details were used by Alexander Fischbaum on two occasions at 16.36 and 20.47. We are investigating how Mr Fischbaum has obtained personal e-mail addresses of people invited to the first virtual consultation event on the Burroughs and Middlesex University SPD that took place on January 21st and how such breaches can be avoided in future. We have asked Mr Fischbaum to delete your contact details. He is yet to confirm that he has taken this action. If he is in contact with you again please let me know. Once again I apologize for the inconvenience and distress caused by this data breach.'

In his email, Nick Lynch implied that the fault for the data breach lay with one of the recipients, when Barnet Council broadcast the email addresses in the first place.

Barnet Council has a legal requirement both to consult with residents in advance of major planning and development proposals, and to protect the data and personal details of those with whom it corresponds and engages in consultation. If as Ngaire Thomson suggests the operating systems MS Teams and Outlook may not ensure that data are protected as required by GDPR, then the Council should discontinue their use immediately and find alternatives. If the operating systems are capable of protecting personal data, then the officers in charge should be properly trained to prevent data breaches.

I note that Barnet Council also has internal procedures in place to investigate breaches and ensure compliance. The attached emails from Ngaire Thomson and Nick Lynch suggest that these policies and procedures have not been followed. Further, untrue statements were made by Barnet Council staff, regarding an individual, which raises other concerns.

I am writing to ask that you investigate this matter immediately. I look forward to hearing from you.

Yours sincerely,

A black rectangular redaction box covering the signature of Professor Brad K. Blitz.

Professor Brad K. Blitz