

Ref: FOI/GS/ID 6412

Please reply to:
FOI Administrator
Trust Management
Maidstone Hospital
Hermitage Lane
Maidstone, Kent
ME16 9QQ
Email: mtw-tr.foiadmin@nhs.net

17 November 2020

Freedom of Information Act 2000

I am writing in response to your request for information made under the Freedom of Information Act 2000 in relation to Data Breaches.

You asked:

We are conducting research on the protection of data stored within the public sector and wish to know the following:

- 1. How many cloud data breaches have occurred within your organisation in 2019 and 2020?*
- 2. How many cyberattacks have occurred within your organisation in 2019 and 2020?*
- 3. How many ransomware attacks have occurred within your organisation in 2019 and 2020?*
- 4. How many data loss incidents have occurred as a result of lost or stolen devices storing your organisation's data (such as USB flash drives, Hard Drives, Solid State Drives, mobile phones or laptops) within your organisation in 2019 and 2020?*

Please split any data supplied separately for 2019 and 2020.

Trust response:

- Under Section 21 of the Act we are not required to provide information in response to a request if the information is already reasonably accessible to you. All breaches are reported in the Trust Annual Report and Accounts which can be found on our website www.mtw.nhs.uk About Us, Publications - <https://www.mtw.nhs.uk/about-us/publications/> Further information will be released in the 2020/2021 Report and Accounts and as such the Trust is applying the Section 22 - Information intended for future publication exemption.
- The trust has applied Section 31 (1)(a) of the FOI Act (Law Enforcement) to this question as providing this could compromise the security of the Trust's

network / data and might materially cover activity which forms part of ongoing criminal investigations

The information which has been withheld is exempt from disclosure under section 31(1)(a) of the Freedom of Information Act. The relevant parts of the ICO guidance on the subject (<https://ico.org.uk/media/for-organisations/documents/1207/law-enforcement-foi-section-31.pdf>) run as follows:

31.—(1) Information is exempt if its disclosure under this Act would, or would be likely to, prejudice - (a) the prevention or detection of crime. It could be used to withhold information that would make anyone, including the public authority itself, more vulnerable to crime for example, by disclosing its own security procedures. It is the view of this trust's Information security function that disclosure of the information above would prejudice our ability to resist cyber-attacks, etc. on our systems.

The Trust has issued a Cyber Security statement which can be found on our website using the following link: <https://www.mtw.nhs.uk/freedom-of-information/>

3. The trust has applied Section 31 (1)(a) of the FOI Act (Law Enforcement) to this question as providing this could compromise the security of the Trust's network / data and might materially cover activity which forms part of ongoing criminal investigations

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