

Executive Corridor
Darlington Memorial Hospital
Hollyhurst Road
Darlington
DL3 6HX
Switchboard Tel: 01325 38 0100

Request for Information Reference: 05.21.55

Email: cdda-tr.cddftfoi@nhs.net

Email only

21 June 2021

Freedom of Information Act 2000 – Request for Information

Thank you for submitting a request for information which we received on 21 May 2021 in relation to County Durham and Darlington NHS Foundation Trust (the Trust). Your request has been processed under the provisions of the Freedom of Information Act 2000 and I am now able to provide you with a response.

Your request was in relation to cyber-attacks and I am providing the following information in response to your specific questions:

- 1. How many cyber-attacks (incidents) did your organisation experience in the last 3 years?**
- 2. If these statistics are available within the cost limit, how many of those incidents involved a) Malware b) Ransomware c) Hacking d) Phishing emails**
- 3. How many incidents over the last 3 years were reported to the Department of Health and Social Care, whether under the Security of Network and Information Systems Regulations 2018, or otherwise?**
- 4. How many incidents over the last 3 years resulted in a notification to the Information Commissioner's Office?**
- 5. How many incidents over the last 3 years were reported to both DHSC and the ICO?**

The Trust is unable to provide a response to your request due to its legal requirement under part 3 section 10, (1, 2) of The Network and Information Systems Regulations 2018 (NISR), to protect information about the security of our networks. This prevents the disclosure of the information you have requested as it would require us to breach the responsibility we have under the NISR.

As a result the Trust is refusing your request under section 31(1) of the FOIA which states that information is exempt if, under this Act, it would, or would be likely to prejudice (a) the prevention or detection of crime. If the Trust were to confirm or deny if it had experienced a cyber-attack or provide the specific details of any cyber-attacks in the last three years, it could enable the perpetrators to understand if they

had or had not been detected and as such it could enable further attacks and the Trust would have failed to protect the security of the Trust systems.

S31(3) of the FOIA allows a public authority to neither confirm nor deny whether it holds information where such confirmation would be likely to prejudice any of the matters outlined in section 31(1). This includes information the disclosure of which would or would be likely to prejudice the prevention or detection of crime.

If you disagree with our response or would like to discuss the possibility of amending your request to enable us to be able to respond, please do get in touch.

In line with the Information Commissioner's directive on the disclosure of information under the Freedom of Information Act 2000 your request will form part of our disclosure log on the Trust's website. However please be assured that we anonymise all responses prior to adding them to the disclosure log.

I hope that this response has provided you with the information you had requested. If you have any queries or wish to discuss the information supplied, please do not hesitate to contact me by telephone or in writing. If however, you are dissatisfied with the way in which your request has been handled and would like an internal review, you will need to contact me in writing at the above address or via cdda-tr.cddftfoi@nhs.

If you remain dissatisfied with our response following an internal review you have the right to appeal to The Information Commissioner at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. More information is available on their website; www.ico.gov.uk.

Yours sincerely

Joanna Tyrrell
Freedom of Information Officer