



Ref: FOIA Reference 2020/21-337b

Date: 25th January 2021

Email foi@uhnm.nhs.uk

Dear

I am writing in response to your email dated 18th November 2020 requesting information under the Freedom of Information Act (2000) regarding our response on cyber-attacks.

You stated: *“Many thanks for getting back to me. Having read your response, I do appreciate your reasoning. In that case, please could you provide a basic overall number of cyber-attacks in the last 5 years? If this is not possible, please could you explain in a bit more detail how the release of this information specifically would prejudice law enforcement or health and safety? Many thanks for your time and assistance on this important issue.”*

As of 1st November 2014 University Hospitals of North Midlands NHS Trust (UHNM) manages two hospital sites – Royal Stoke University Hospital, and County Hospital (Stafford). Therefore the response below is for the two sites combined from that date where appropriate.

Our response sent 11th November 2021 copied below.

Q1 Under the FOI Act 2000, I would like to request the following:

A list of all cyber-attacks (both failed and successful) on NHS hospitals falling under your remit, in each year since 2015 (including broader cyber-attacks which include these hospitals). Where possible, please could you split the data as follows?

Ideally, I am requesting only those cyber-attacks identified as or suspected of:

- a) Coming from a source within Russia or China;**
- b) Emanating from any individual(s) or group(s) known to have, or suspected of having, links to the Russian or Chinese state. In each instance, please could you make clear which country the attack relates to?**

If this is not possible, please could you make clear whether an attack is thought to have come from inside/outside the UK?

In each instance, I am also requesting the following information:

- The severity of the attack, where it has been noted (e.g. low, medium, high).**
- The outcome of successful attacks. For example: were documents stolen (and how many)? Was confidential data stolen (and how much)? Were any**

operations or other NHS processes cancelled or delayed as a result (and how many)?

The cost to the NHS, where that cost is easily deductible/accessable. This could include but is not limited to

- a) Delayed or cancelled operations, lost data, etc.;**
- b) The security/staffing cost of defending against an attack;**
- c) Any consequent legal costs e.g. lawsuits filed successfully against the NHS as a result of personal data theft.**

If this part of the request is unduly onerous, please disregard.

A1 Release of this information potentially puts the Trust at risk and therefore is exempted under sections 31(1)(a) *the prevention or detection of a crime* and 38(1)(b) of the FOI Act. This section states: (1) Information is exempt information if its disclosure under this Act would, or would be likely to— (b) endanger the safety of any individual.

The Trust determines that to disclose this information would prejudice the Trust's ability to prevent and react to any cyber-attack. Cyber-attacks present a real risk of harm to members of staff and patients. The Trust has completed the public interest test and this has been upheld.

Additionally; the Trust will neither confirm nor deny it holds this information. Releasing information in relation to specific attacks would potentially compromise the Trusts security and the security of its staff and patients. It's not possible to give exacting figures in relation to the number of attacks.

Query #1; In that case, please could you provide a basic overall number of cyber-attacks in the last 5 years?

Query #1 answer: section 12 exemption as detailed below:

I can neither confirm nor deny whether the information you have requested is held by the Trust in its entirety. This is because the information requested your query is not held centrally, but may be recorded in across multiple platforms. In order to confirm whether this information is held we would therefore have to individually access all security logs held by the Trust and extract the information where it is present. We therefore estimate that complying with your request is exempt under section 12 of the FOI Act: *cost of compliance is excessive*. The section 12 exemption applies when it is estimated a request will take in excess of 18 hours to complete. We estimate that accessing and reviewing all security logs and then extracting relevant information would take longer than the 18 hours allowed for. In addition to the section 12 exemption the Trust is also applying section 14 (1) exemption: *oppressive burden on the authority*

Query #2; If this is not possible, please could you explain in a bit more detail how the release of this information specifically would prejudice law enforcement or health and safety

Query #2 answer: As stated above in our original response, Giving this kind of information does, in UHNM' Cyber security's opinion, provide information that could potentially lead to compromising the Trust security as inferences can potentially be drawn from the answers, particularly in the security monitoring

*Please note that any individuals identified do not give consent for their personal data to be processed for the purposes of direct marketing.

UHNM NHS Trust is a public sector body and governed by EU law. FOI requestors should note that any new Trust requirements over the EU threshold will be subject to these regulations and will be advertised for open competition accordingly.

Where the Trust owns the copyright in information provided, you may re-use the information in line with the conditions set out in the Open Government Licence v3 which is available at <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>. Where information was created by third parties, you should contact them directly for permission to re-use the information.

An anonymised copy of this request can be found on the Trust's disclosure log, please note that all requests can be found at the following link: <http://www.uhnm.nhs.uk/aboutus/Statutory-Policies-and-Procedures/Pages/Freedom-of-Information-Disclosure-Log.aspx>

This letter confirms the completion of this request. A log of this request and a copy of this letter will be held by the Trust.

If you have any queries related to the response provided please in the first instance contact my office.

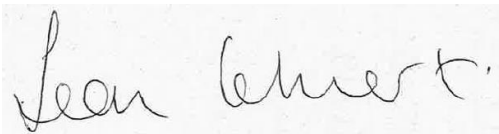
Should you have a complaint about the response or the handling of your request, please also contact my office to request a review of this. If having exhausted the Trust's FOIA complaints process you are still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and request an assessment of the manner in which the Trust has managed your request.

The Information Commissioner may be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or via www.ico.org.uk.

If following review of the responses I can be of any further assistance please contact my secretary on 01782 671612.

Yours,



Jean Lehnert
Data, Security & Protection Manager