

Information Governance

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Our reference: FOI DA3618a

I am responding to your request for information received 24 November 2020. I am sorry for the delay in responding to your request. This has been treated as a request under the Freedom of Information Act 2000.

I am now enclosing a response which is attached to the end of this letter. Please do not hesitate to contact me on the contact details above if you have any further queries.

Yours sincerely,



Keshia Harvey
Information Governance Manager

If you are dissatisfied with the Trust's response to your FOIA request then you should contact us and we will arrange for an internal review of this decision. If you remain dissatisfied with the decision following our response to your complaint, you may write to the Information Commissioner for a decision under Section 50 of the Freedom of Information Act 2000. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliff House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113
Web: www.ico.org.uk

Please note that the data supplied is not allowed to be re-used and/or published without the explicit consent of East London NHS Foundation Trust. Please contact the signatory to request permission if this is your intention

Chair: Mark Lam

Interim Chief Executive: Paul Calaminus

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Request:

Question 1. Please could you replace questions 1a, 1b and 2a with the following:

A basic overall number of cyber-attacks in the last 5 years.

Answer: The Trust has reviewed your request for information under the Freedom of Information Act (FOI) 2000.

Section 1(1) of the FOI Act states:

Any person making a request for information to a public authority is entitled—

*(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
(b) if that is the case, to have that information communicated to him.*

The Trust does not keep records of irregular Firewall activity ('cyber attacks') for longer than a year – therefore data for five years is not available. The information is not recorded and therefore not disclosable.

In 2020, the Trust has had 2,837 recorded hits as recorded by the Firewall management software. There were also 'phishing' type attacks via email, none of these resulted in harm as the staff are aware of the correct process to follow.

Question 2. In addition, please could you proceed in providing answers to question 2b?

**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)?**

Answer: No attacks were successful.

Question 3. In addition, please could you proceed in providing answers to question 3?

The cost to the NHS, where that cost is easily deductible/accessible. 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.

Answer: There have been no successful cyber-attacks and therefore, no cost to the Trust.

Original Request:

Good afternoon,

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

Question 1a. 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; or 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.

Question 1b. 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:

Question 2a. The severity of the attack, where it has been noted (e.g. low, medium, high).

Answer: To answer your question, staff would need to review each cyber event as these are not recorded centrally. These questions would take 52 hours to collate and respond to.

Given the above, the Trust is unable to comply with this part of your request as the cost of compliance and extracting your exact requirements would exceed the appropriate cost limit of £450 which is specified in Section 12 of the Freedom of Information Act 2000. This is based on a rate of £25 per hour, regardless of the rate of pay of any individual involved in the retrieval of requested information, and equates to 18 hours work.

Question 2b. 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)?

Answer: We could provide a response to this question within the cost limit. If you want a response to this question, please let us know.

Question 3. The cost to the NHS, where that cost is easily deductible/accessible. 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.

Answer: We could provide a response to this question within the cost limit. If you want a response to this question, please let us know.

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