

Date: 17/04/2024
Your Ref:
Our Ref: 8577

Enquiries to : Richard Mutch
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Dear

FREEDOM OF INFORMATION – DIGITAL SECURITY INCIDENTS

I write in response to your request for information in relation to digital security incidents.

Question:

- From January 2018, a list of all digital security incidents in your health board.
 - a. This should include a description of the exact nature of the incident
 - b. This should include the time the incident occurred and the duration of the effect
 - c. This should list any cost directly and indirectly incurred as a result of the security incident
 - d. This should list the data that was potentially compromised as a result of the incident
 - e. If any payment/ransom was provided to attackers, the total amount provided and the means of payment
 - f. This should include the location of the incident, if applicable
 - g. This should include any other information that a reasonable person would judge pertinent to understanding the nature and impact of the digital security incident

Answer:

I am advised by the eHealth Department of NHS Lothian that while they do keep a log of cyber attacks, we do not release this level of detail for security reasons.

This information is considered exempt under the following:-

- Section 31 of the Freedom of Information (Scotland) Act 2002 (FOISA) contains three separate exemptions.
 - Under section 31(1), information is exempt information if exemption from disclosure is required for the purpose of safeguarding national security.
- Section 35 of the Freedom of Information (Scotland) Act 2002 (FOISA) contains a wide range of exemptions, all relating to law enforcement. Information will be exempt if disclosure would, or would be likely to, prejudice substantially:
 - the prevention or detection of crime (section 35(1)(a));
 - the exercise by a public authority of one or more of the functions listed in section 35(2), such as ascertaining whether conduct is improper or securing the health, safety and welfare of people at work (section 35(1)(g)); or

I am sorry I cannot help with your request.

If you are unhappy with our response to your request, you do have the right to request us to review it. Your request should be made within 40 working days of receipt of this letter, and we will reply within 20 working days of receipt. If our decision is unchanged following a review and you remain dissatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner within 6 months of receipt of our review response. You can do this by using the Scottish Information Commissioner's Office online appeals service at www.itspublicknowledge.info/Appeal. If you remain dissatisfied with the Commissioner's response you then have the option to appeal to the Court of Session on a point of law.

If you require a review of our decision to be carried out, please write to the FOI Reviewer at the email address at the head of this letter. The review will be undertaken by a Reviewer who was not involved in the original decision-making process.

FOI responses (subject to redaction of personal information) may appear on NHS Lothian's Freedom of Information website at: <https://org.nhslothian.scot/FOI/Pages/default.aspx>

Yours sincerely

ALISON MACDONALD
Executive Director, Nursing, Midwifery and AHPs
Cc: Chief Executive