

Date 12/12/2025
 Your Ref
 Our Ref 10861

Enquiries to Richard Mutch
 Extension 35687
 Direct Line 0131 465 5687
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Dear

FREEDOM OF INFORMATION – DATA BREACHES

I write in response to your request for information in relation to data breaches.

Question:

- Please, for the past five years, can you tell me how many data breaches you have recorded. This should be for 2020, 21, 22, 23, 24, and for the year to date for 2025.
- If you record them in another time period, please use this but provide the past five years worth of data.
- Using the same breakdown, please can you inform me how much, if anything, you have paid out in fines and/or compensation. Please state these figures separately.
- Finally, please can you give me a brief explanation of each incident and how many people it affected.

Answer:

	Number of breaches Reported to ICO	Settlements
2020	5< 5< x inappropriate access	0
2021	6 5< x inappropriate access 5< x misfiling 5< x SAR	5< - £1,000
2022	8 5< x SAR 5< x complaint response 5< x letter 5< x disclosure 5< x inappropriate access	5< - £9,000
2023	7 5< x inappropriate access 5< x SAR 5< x letter	5< - £4,750

	5< x paper lose	
2024	13 7 x inappropriate access 5< x letter 5< x disclosure at meeting 5< x SAR 5< x vaccination form missing 5< x email sent without BCC	5< - £12,700
2025	8 5 x inappropriate access 5< x letter 5< x Break in to NHS premises 5< x data shared on WhatsApp 5< x email sent without BCC	Year to date – 5< - £19,750
	*	£47,200

These are the totals for claims settled within the calendar year, and not the values for claims received in each year, so won't match up to the data provided by IG. This is because claims can take several months, if not years in some cases to settle. Settlement value does not include legal fees.

To protect the identity of the individuals involved any figure of 5 or less has not been shown in the table above. Since we do not have their consent to release this data from their records, the information is exempt under section 38(1)(b) of the Freedom of Information (Scotland) Act i.e. to provide it would breach the Data Protection Act (2018).

I hope the information provided helps 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
Cc: Chief Executive