

26 June 2020

Ms Srinidhi Vasudevan

By email only: request-667849-f51eeb88@whatdotheyknow.com

Ref: IC-41821-P1R7

Dear Ms Vasudevan,

We write in response to your recent request for information, which we received on 30 May 2020. We are now in a position to provide a response.

We have dealt with your request in accordance with your 'right to know' under section 1(1) of the Freedom of Information Act 2000 (FOIA).

Request

In your correspondence you asked us:

I would like to know the following details about security/data breaches reported to the ICO by organisations from February 01, 2020 (COVID19 period):

- 1. How many breaches were reported?*
- 2. For the reported breaches, could you please provide the details including the name of the organisation, the industry/sector, the financial impact and the remedial actions taken?*

Response

We can confirm that we hold information in scope of your request.

In relation to your first request, between 1 February and 30 May 2020 the ICO received 2950 breach reports from controllers.

In relation to your second request, of the 2950 breach reports received, 2237 have been closed as requiring no remedial action but advice given. Our assessment or investigation of the remaining 713 breach reports has not yet concluded – therefore there are no 'remedial actions' or outcome that we can report on.

The number of breach reports by sector, for the same period is provided in the following table:

Sector	Total reports
Central Government	71
Charitable and voluntary	146
Education and childcare	430
Finance, insurance and credit	332
General business	181
Health	457
Justice	62
Land or property services	141
Legal	231
Local government	260
Marketing	9
Media	13
Membership association	52
Online Technology and Telecoms	77
Political	9
Regulators	7
Religious	13
Retail and manufacture	286
Social care	69
Transport and leisure	83
Utilities	21
Grand Total	2950

We should advise you that the ICO cannot report on the financial impact of data protection breached sustained by controllers—this is not information we require for our business needs.

You may be aware that the ICO publishes [datasets](#) of our completed casework on our website. These both our FOI and DP casework—including both individual data protection complaint and breaches reported by controllers.

We acknowledge that there is a data set publication gap from September 2018 to present, where information is held, but has not yet been published by the ICO online. We are actively working to bring these datasets up to date, however, the ICO continues to manage an unprecedented number of information requests. This is having an effect on our ability to keep up to date with our proactive disclosure regime.

We are withholding the remaining information in scope of your request—the names of individual controllers—under section 22 of the FOIA because this is information intended for future publication. We explain this exemption further below.

Information withheld - section 22 FOIA

Section 22 of the FOIA states that information is exempt from disclosure in response to an information request if:

"(a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),

(b) the information was already held with a view to such publication at the time when the request for information was made, and

(c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph."

The exemption at section 22 is qualified by the public interest test, meaning that the information should be disclosed if the public interest in the maintenance of the exemption does not outweigh the public interest in disclosure.

In this case the public interest factors in disclosing the information are:

- Transparency in the number and nature of data breaches reported to the ICO, and our assessment of these reports.

The factors in withholding the information are:

- The ICO has a history of publishing this information on a periodic basis and has committed to publishing relevant data sets—at which point the information will be in the public domain.
- To prepare this information for disclosure earlier than intended, in response to individual requests we receive, would be time and resource intensive, and would not be an efficient use of resources when we intend to publish this information in due course in any case.
- Earlier disclosure is not necessary to satisfy any pressing public interest at the present time.

Having considered the public interest arguments, we consider it reasonable in the circumstances to withhold this information under section 22 of the FOIA.

That concludes our response to your information request, we trust that the information we have been able to provide proves helpful.

Review Procedure

If you are dissatisfied with this response and wish to request a review of our decision or make a complaint about how your request has been handled you can write to the Information Access Team at the address below or e-mail accessicoinformation@ico.org.uk.

Your request for internal review should be submitted to us within 40 working days of receipt by you of this response. Any such request received after this time will only be considered at the discretion of the Commissioner.

If having exhausted the review process you are not content that your request or review has been dealt with correctly, you have a further right of appeal to this office in our capacity as the statutory complaint handler under the legislation. To make such an application, please write to our Customer Contact Team at the address given or visit our website if you wish to make a complaint under the Freedom of Information Act.

A copy of our [review procedure](#) can be accessed from our website.

Yours sincerely

Shannon Keith

Senior Information Access Officer, Risk and Governance Department

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