



Freedom of Information Request Reference N^o: FOI 000194-18

I write in connection with your request for information received by Norfolk and Suffolk Constabularies on the 15 January 2018 in which you sought access to the following information:

"I am writing to you under the Freedom of Information Act to request information regarding data and cybersecurity incidents in the calendar year 2017 affecting information owned, processed or generated by your police force.

1. *Please may you provide me with the number of data breaches that occurred of your organisation's owned, processed or generated information in the calendar year 2017.*

Please may you provide me with a list of details regarding these breaches (i.e. when they occurred, how they occurred, and what information was lost).

2. *If your organisation differentiates between data breaches and data incidents, please may you provide me with the number of data incidents that occurred of its owned, processed or generated information in the calendar year 2017.*

Please may you provide me with a list of details regarding these incidents (i.e. when they occurred, how they occurred, and what information was lost).

3. *Please may you provide me with the number of cyber security incidents that occurred within your organisation in the calendar year 2017.*

Please may you provide me with a list of details regarding these incidents (i.e. when they occurred, how they occurred, whether information was exposed, and how the incident was handled, if recorded as a crime by the force and/or whether the National Cyber Security Centre was informed)."

Response to your Request

The response provided below is correct as of 15 January 2018

Norfolk and Suffolk Constabularies have considered your request for information and our response is below.

In relation to your request for information and in accordance with Section 17 of the Freedom of Information Act 2000 (FOIA), this response serves as a formal notification of refusal for your request. The Constabularies do not hold, for the purposes of FOIA, all of the information you require in a retrievable format.

It is estimated that to attempt to retrieve all of the information you require would take a considerable amount of retrieval time, exceeding the appropriate limit for dealing with Freedom of Information requests in terms of costs and therefore, Section 12(1) of the Freedom of Information Act 2000 applies.

It is considered that to provide the information to answer your request will take in excess of 36 hours. The Constabularies collate information concerning 'Data Breaches', which are provided below. However, this does not extend to information security incidents or data incidents as per the request.

In order to collate the information and extract the relevant data to answer the specific elements of the request will require a manual review of all incident forms submitted to the Information Security Team, which are stored within a structured electronic filing system. Security incidents can encompass a large variety of instances, including missing warrant or ID cards, internet and email misuse, inadequate data storage and insecure disposal. There are great numbers of security incidents reported in any one month and although we would be able to access individual records where there is a requirement to do so, we would not be able to complete bulk data retrieval at this time within the allocated 36 hour retrieval time.

We anticipate it will take approximately 5 minutes per form to extract all relevant data, much of which will involve cross referencing with other documentation and emails.

The Constabularies are currently exploring the option of procuring a bespoke database to record such information in the future, to allow for easy data retrieval, ensuring that similar like requests can be fully answered in the future.

Section 12(1) of the Freedom of Information Act 2000 states that a Public Authority is not obliged to: *"...comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit."* The Freedom of Information (Appropriate Limit and Fees) Regulations, defines the 'appropriate limit' for the Constabularies as £450 and specifies that this sum equates to 18 hours work per force at a standard rate of £25 per hour. This equates to 36 hours of work, or £900, for joint responses.

In accordance with Section 17(5) of the Freedom of Information Act 2000, this letter serves as a refusal notice for this part of your request.

By requesting *all* information your request is too broad to be complied with within the limit imposed on Freedom of Information requests.

Although excess cost removes the Force's obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relative to your request, retrieved or available

before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

We have interpreted 'data breach' as falling within the term 'personal data breach' as defined by the Information Commissioners Office, where an actual breach is proven to have occurred.

https://ico.org.uk/media/for-organisations/documents/1562/guidance_on_data_security_breach_management.pdf

The current guidance on data breach management for police forces can be found at:

<https://www.app.college.police.uk/app-content/information-management/data-protection>

During the 2017 calendar year, a total of 42 data breaches were reported to the Information Management Department the details of which are provided below:

Month	Force	Summary
January	Norfolk/Suffolk	Unauthorised disclosure of personal data
January	Norfolk	Unauthorised disclosure of personal data
January	Norfolk	Unauthorised disclosure of personal data
February	Suffolk	Possible Loss of personal data
February	Norfolk	Unauthorised disclosure of personal data
February	Suffolk	unauthorised disclosure of personal data
January	Norfolk/Suffolk	Unauthorised disclosure of personal data
March	Norfolk/Suffolk	unauthorised disclosure of personal data
March	Norfolk	Unauthorised disclosure of personal data
March	Suffolk	Unauthorised disclosure of personal data
April	Norfolk/Suffolk	Transfer outside EEA
March	Norfolk	unauthorised disclosure of personal data
April	Suffolk	Unauthorised disclosure of personal data
April	Suffolk	Unauthorised disclosure of personal data
April	Suffolk	Unauthorised disclosure of personal data
April	Norfolk	unauthorised disclosure of personal data
May	Suffolk	Unauthorised disclosure of personal data
May	Norfolk	Unauthorised disclosure of personal data
April	Suffolk	Unauthorised disclosure of personal data
May	Norfolk	Unauthorised disclosure of personal data
June	Norfolk	Unauthorised disclosure of personal data

June		Lost Files
June	Norfolk	Unauthorised disclosure of personal data
April	Norfolk	Unauthorised disclosure of personal data
July	Norfolk	Unauthorised disclosure of personal data
June	Norfolk	Unlawful access
July	Suffolk	Lost files
August	Norfolk	Unlawful Access
September	Suffolk	Inappropriate disclosure
September	Suffolk	Inappropriate disclosure
September	Suffolk	Inappropriate disclosure
March	Norfolk	Inappropriate disclosure
October	Norfolk/Suffolk	Circulation of credentials on the web
September	Norfolk	Inappropriate disclosure
October	Suffolk	Inappropriate disclosure
October	Norfolk	Lost DVD Interviews
March	Norfolk	Inappropriate disclosure
December	Suffolk	Inappropriate disclosure
November	Suffolk	Lost Certificates
December	Suffolk	Inappropriate disclosure
December	Suffolk	Inappropriate disclosure
December	Suffolk	Inappropriate disclosure

Should you have any further queries concerning this request, please contact Clair Pack, FOI Decision Maker, quoting the reference number shown above.

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;
<http://www.opsi.gov.uk/>

Norfolk and Suffolk Constabularies are not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.

Your Right to Request a Review of Decisions Made Under the Terms of the
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask the Norfolk and Suffolk Constabulary to review their decision.

Ask Norfolk and Suffolk Constabularies to look at the decision again.

If you are dissatisfied with the decision made by Norfolk and Suffolk Constabularies under the Freedom of Information Act (2000), regarding access to information, you must notify the Norfolk and Suffolk Constabulary that you are requesting a review within 20 days of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker
Information Management Department
Suffolk Constabulary
Police Headquarters
Martlesham Heath
Ipswich
Suffolk
IP5 3QS
OR
Email: information@suffolk.pnn.police.uk*

In all possible circumstances Norfolk and Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Norfolk and Suffolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at www.ico.org.uk or contact them at the address shown below:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700