

# East Lothian Council

**FOI Ref: 2018/039(13111)**

***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 local authority.***

***[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.***

East Lothian Council (ELC) has no data breaches recorded for this time period.

***[1.2] 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).***

Not applicable

***[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.***

Two data incidents recorded in 2017.

***[2.2] 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).***

No information was lost. Both were ransomware attacks which were stopped successfully before any loss occurred. One incident was in June, the other in October.

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

ELC had over 44,000 automated attacks against its external boundaries last year, none of which were successful.

***[3.2] 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 police and/or whether the National Cyber Security Centre was informed).***

When information is released as the result of a freedom of information request it is technically released to the general public, and not just to the person or organisation making the information request. In view of this, this level of detail is exempt from disclosure under Section 31(1) of the Freedom of Information Act, i.e.: that information is exempt information if exemption from disclosure is required for the purpose of safeguarding national security.

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This exemption is a qualified exemption which means that ELC is required to carry out a public interest test to determine whether the public interest in applying this exemption outweighs the public interest in disclosure. In determining where the public interest lies, ELC considered the following factors:

### Factors in favour of disclosure

- ELC acknowledges that disclosure of information of how incidents occurred and were handled, would provide assurance that it is committed to improving transparency and that it understands the risk from cyber-crime and invests in security.

### Factors against disclosure

- ELC considers that, by disclosing the requested information in question 3.2 above, it would provide information which could be useful to those wishing to harm the Council's IT systems. Cyber-attacks are becoming more frequent, sophisticated and damaging when they succeed. Part of ELC's security defences for preventing attacks is not to release into the public domain information regarding IT Infrastructure, Data Security and also providers of software and hardware. Release of this type of information can often open the door for identification of system weaknesses and once in the public domain, this information could be used by an adversary to attempt to launch a cyber-attack. Attacks on the Council's IT systems could themselves constitute a crime, create a vulnerability to criminal activity and place at risk the data held.

Having taken the above factors into consideration, and acknowledging that there is an overwhelming public interest in keeping government computer systems secure, ELC is of the opinion that the arguments for withholding the information outweigh the arguments for disclosure.