

Date: Wednesday, 18th March 2020  
Our Ref: MB/SH FOI 4268

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**Re: Freedom of Information Request FOI 4268**

We are writing in response to your request submitted under the Freedom of Information Act, received in this office on 28th February 2020.

Your request was as follows:

I would prefer to receive this information electronically, preferably as a data set, e.g. in Excel, NOT as a PDF.

1. Are the Data Centre's operated by or for the organisation fit for purpose? For example, is there a Business Continuity Plan, is there Disaster Recovery in place or is it a single site?

Yes to all.

2. Is there any capital investment in data centres planned in the next 36 months? For example, Mechanical & Electrical or refresh of equipment within the DC such as network, storage area network?

Yes, storage area network and virtual datacentre hosts.

3. Is data privacy and or information security compliance a priority for the organisation's board?

Yes.

4. On your Organisation's risk register, are there any Information Technology related risks?

Yes.

i) If time/ cost allows, please list the top three related risks.

I confirm that The Walton Centre NHS Foundation Trust holds the information you have requested. However, I am unable to provide you with that information as I consider that the following exemptions apply to it:

**Section 31(1a) – The prevention or detection of crime**

This information is exempt from disclosure under Section 31(1a) of the Freedom of Information Act 2000 (FoIA). We consider that if the data you have requested were to be combined with other information which may be available in the public domain, there would likely to be an increased risk of a cyber-security attack upon the Trust. As part of the Critical National Infrastructure for the NHS, the Trust has a duty to protect the integrity of our systems. The disclosure of the information requested could expose weaknesses in our systems and lead to breaches, making the UK or its citizens, in this case our patients, more vulnerable to security threat.

**Public Interest Test**



To use this exception we are required to undertake a public interest test. The matters which were considered in applying the public interest test are as follows:

Factors in favour of disclosure:

- Disclosure of the data supports the general public interest in the transparency, accountability and general understanding of the delivery of public services.

Factors in favour of withholding:

- Breaches in Trust security and is therefore a reasonable threat to the confidential patient data held on our systems.
- Temporary or long term lack of availability of IT systems
- Corruption/loss of patient data which would prevent or interrupt provision of patient care.

There is a strong public interest in protecting the confidentiality of patient data and of ensuring that healthcare services can be provided to the public without increasing the possibility of attack by hackers or malware, or of putting personal or other information held on these systems at risk of corruption or subject to illegal access. For these reasons, the Trust has decided that it is in the public interest to withhold this information at this time.

This response therefore acts as a refusal notice under section 17 of the FOIA.

5. Are the cyber security vulnerabilities within the organisation's existing Information Technology estate increasing?

No.

i) Has the organisation had a security breach in the past 12 months?

No.

6. Did the organisation meet its Information Technology savings target in the last Financial Year?

Yes.

7. What percentage of Information Technology budget is currently allocated to "on-premises" capability vs "cloud" capability?

Approx 80% on-premise, 20% cloud

8. Does the organisation have the skills and resource levels necessary for moving to the cloud?

Not fully assessed as yet.

9. Do you have an EPR in place? - If so which one? If not do you have a timescale of which you have to implement it?

Yes, built in-house.

10. In relation to contracts with Amazon Web Services, Microsoft for Azure and/or Google for Google Cloud, was the monthly expenditure higher than budgeted?

No.

i) If yes, has the organisation been able to subsequently reduce the cost whilst maintaining service levels for users?

N/A

Please see our response above in [blue](#).

### Re-Use of Public Sector Information

All information supplied by the Trust in answering a request for information (RFI) under the Freedom of Information Act 2000 will be subject to the terms of the Re-use of Public Sector Information Regulations 2005, Statutory Instrument 2005 No. 1515 which came into effect on 1st July 2005.

Under the terms of the Regulations, the Trust will licence the re-use of any or all information supplied if being used in a form and for the purpose other than which it was originally supplied. This license for re-use will be in line with the requirements of the Regulations and the licensing terms and fees as laid down by the Office of Public Sector Information (OPSI). Most licenses will be free; however the Trust reserves the right, in certain circumstances, to charge a fee for the re-use of some information which it deems to be of commercial value.

Further information can be found at [www.opsi.gov.uk](http://www.opsi.gov.uk) where a sample license terms and fees can be found with guidance on copyright and publishing notes and a Guide to Best Practice and regulated advice and case studies, at [www.opsi.gov.uk/advice/psi-regulations/index.htm](http://www.opsi.gov.uk/advice/psi-regulations/index.htm)

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the Freedom of Information Office at the address above.

**Please remember to quote the reference number, FOI 4268 in any future communications.**

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

*Mike Burns*

**Mr. Mike Burns, Executive Lead for Freedom of Information**