

From: Freedom of Information

Sent: 17 December 2020 15:56

To:

Subject: Freedom of Information Response (Our Ref: K/20/492)

Dear

Freedom of Information Response (Our Ref: K/20/492)

Thank you for your Freedom of Information (FOI) request dated 24 November 2020, reference K/20/492.

Your request read:

“I am writing to you under the Freedom of Information Act 2000 to request the following information:

- Between 2015 and the most recent data, how many times Leeds University has recorded breaches of data protection laws.
- Please can you also let me know:
 - o What the breach was
 - o How it happened
 - o Whether the ICO was informed
 - o What action (if any) was taken, either by the ICO or the university, after the breach

Note that I am not just asking about breaches significant enough to warrant reporting to the ICO, but all breaches in the past 5 years. For reference, GDPR legislation defines a ‘personal data breach’ as ‘a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed’, which may be caused by loss/theft, insufficient control over access, equipment failure, human error, environmental causes such as fire, a hacking or deception.”

The University of Leeds holds this information. However, we are withholding this information under section 31(1)(a) of the Freedom of Information Act.

Section 31(1)(a) sets out that information is exempt if its disclosure would or would be likely to prejudice the prevention or detection of crime.

We consider that the release of this information would be likely to reveal actual or perceived information security weaknesses. It would also reveal to attackers which incidents we have and have not recorded, which would demonstrate our abilities to identify attacks (and may in turn reveal which attempted attacks have and have not been successful). Motivated individuals (i.e. those looking to illegitimately access personal information held by the University) could use the information in order to target the University, or to adapt behaviour in order to avoid detection.

Section 31(1)(a) is a qualified exemption, and as such we are required to consider whether the public interest is in favour of maintaining the exemption or disclosing the information. We recognise that there is a public interest in understanding that the

University's security provision is sufficiently resourced and that our information security processes are adequate to support the needs of the University community. However, we consider that these interests are met by way of the Information Commissioner's Office (ICO), which investigates data breaches and publishes information where there is sufficient public interest to do so. We therefore consider that the public interest is strongly in favour of withholding this information.

We hope this information is helpful. If you have any questions about this email, however, please do not hesitate to contact us on foi@leeds.ac.uk

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you can request an Internal Review. Requests for Internal Review should be made in writing using the following contact information:

Post: Mr D Wardle
Deputy Secretary
The University of Leeds
Leeds
LS2 9JT

Email: foi@leeds.ac.uk

Requests for Internal Review should be submitted within 40 working days of receiving the University's response to your request. Further information about how the University manages Freedom of Information requests and about our complaints procedure is also available on our website (www.leeds.ac.uk).

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. Generally, the ICO cannot make a decision unless you have exhausted the review/complaints procedure provided by the University. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Kind regards

Chloe Wilkins
Freedom of Information Officer

Secretariat
University of Leeds