



GIG
CYMRU
NHS
WALES

Iechyd Cyhoeddus
Cymru
Public Health
Wales

Freedom of Information request to Public Health Wales

FOI Reference:

FOI 276

Date request received

20 November 2019

Date information is due to be sent

18 December 2019

Information Requested:

Under the FOIA i'd like to request the following information please from the Board/Trust – or each Board/Trust that operates under this FOI email address (if there are several).

1. Name of SIRO (Senior Information Risk Owner) if one is appointed, or similar responsibility level if not (Chief Information Governance Officer, Chief Information Security Office etc), or responsible person for SIRO duties.
2. Contact email of person named in request No. 1.
3. Name of DPO (Data Protection Officer) or responsible person for DPO duties.
4. Contact email of DPO.
5. Name of person with overall responsibility for Cyber security or equivalent (excluding persons in Q1, Q3, Q7 and Q9).
6. Contact email of person in Q5.
7. Name of person with overall responsibility for information security or equivalent (excluding persons in Q1, Q3 and Q5 and Q9).
8. Contact email of person in Q7.
9. Name of person with overall responsibility for information Governance or equivalent (excluding persons in Q1, Q3, Q5 and Q7).
10. Contact email of person in Q9

11. Do you have appointed IAO's? If so, whom are they, if they have been defined (Name/Job Title – or just job title if they fall below the level of disclosure you publish for FOI's)?
12. Are you or have you considered becoming ISO 27001 compliant or certified? If so whom is responsible for maintaining this? (as in, the person)
13. Contact email of person in Q12.
14. Are you required to connect to the PSN Code of Connection (CoCo)? If so whom is responsible for complying with its requirements? (as in, the person)
15. Contact email of person in Q14.
16. Name/Contact email of person responsible for NHSMail2 compliance/accreditation.

17. What was the annual spend on external assistance for cyber security last financial year?
(Excluding products/systems, when I refer to external assistance I mean things like consultancy/training)
18. What was the annual spend on external assistance for data protection activities last year?
(Excluding products/systems, when I refer to external assistance I mean things like consultancy/training)

It would be preferable for Q's 2, 4, 6, 8, 10, 13,15 and 16 for you to disclose their personal organisational email, however if this is not in line with your FOI release policies a generic email is sufficient, e.g. dpo@***.com.

If you feel the request will exceed the cost limits for FOI's, please feel to only answer Q's 1-16.

Information provided for the answer:

Thank you for your request received on the 20th November 2019.

Questions 1-16 - Any queries regarding information risk management, information security management or information governance in general can be directed to the Data Protection Officer whose contact details can be found on our website.

In regards to Questions 17 & 18 Public Health Wales does not respond to questions regarding its information security arrangements and we therefore engage the following exemption under the Freedom of Information Act 2000.

Section 38(2) – Health and Safety of the Act – which states that:

38(1) Information is exempt information if its disclosure under this Act would, or would be likely to –

(a) endanger the physical or mental health of any individual, or

(b) endanger the safety of any individual.

(2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, have either of the effects mentioned in subsection (1).

Public Interest Test

Public interest considerations in favour of releasing the information.

There is a general public interest in openness and transparency in public sector bodies which can help to maintain public trust.

Information relating to Public Health Wales protective security measures in

relation to its systems are clearly matters of public interest and we recognise that there is a legitimate interest in knowing that security measures are in place and where they are focused.

Public interest considerations in favour of refusing to release the information.

Public Health Wales has a duty to protect the public and individuals, and to provide a safe and effective public health service. The release of information under FOIA is 'release to the world' and I feel that releasing this information into the public domain would not be in the public interest.

Public Health Wales protective security measures that exist are there to protect our systems which are used to directly assist with the provision of patient care. It has been established that any groups who may be planning cyber-attacks are known to conduct extensive research into the opposition they might face and the release of any information which is held about the security of our systems, no matter how innocuous such requests may appear, may enhance the capability of cyber terrorists and hackers to carry out such attacks.

Releasing any information held could enable hackers and cyber criminals to gain knowledge about Public Health Wales capabilities and IT security measures, and this could enable them to plan attacks where they perceive a lower level of security resource exists. This exposes our IT systems to greater risk and therefore it also follows that risk to our systems will also constitute a risk to both public and staff of Public Health Wales as our systems are used to provide patient care.

Balance of Public Interest Test

Public Health Wales concedes that there is a very real interest in the public knowing that it has adequate levels of protection in place for its IT systems to ensure that we limit any potential for risk befalling the systems on which we heavily rely upon to complete our day to day business and for running the organisation.

However Public Health Wales believes that ensuring the safety of our systems is paramount and on the balance of the information provided above Public Health Wales believes that there would be a clear causative link between releasing the requested information which could then expose Public Health Wales to the risk of crime which could subsequently endanger or cause harm to our patients. Public Health Wales believes that confirming or denying the information requested is held could expose Public Health Wales sites to hackers and cyber criminals this in turn could lead to Public Health Wales being unable to deliver and provide patient care thereby

resulting in a real risk of potential harm to our patients and staff and endanger individuals who are depend upon our IT systems for the care they require.

Public Health Wales therefore believes that the public interest in releasing this information outweighs any arguments for disclosure and so the information requested in questions 17 and 18 is withheld.

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 the decision, you should write to the Corporate Complaints Manager, Public Health Wales NHS Trust, 3, Number 2, Capital Quarter, Tyndall Street, Cardiff, CF10 4BZ.

If you are not content with the outcome of your complaint or review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Trust. The Information Commissioner can be contacted at:

Information Commissioner for Wales
2nd Floor
Churchill House
Churchill Way
Cardiff
CF10 2HH

Telephone: 029 2067 8400

Email: wales@ico.org.uk