

Reference:	FOI.10976.23
Subject:	Cloud computing and cyber security
Date of Request:	15 February 2023

Requested:

I would like to have the following records covering the past 5 financial years:

1. How much the Trust has spent in Cloud Computing (estimated figure will suffice)?
2. What is the percentage of Trust data store in cloud and on-premises infrastructure?
3. How many cyberattacks (both successful and unsuccessful) has the Trust experienced (rough estimate will suffice)?
4. What are the most common types of cyberattacks the Trust has experienced?
5. How much has the Trust spent on providing cybersecurity related training to staff members (estimated figure will suffice)?

Clarification

Can you please clarify what is meant by ' cloud computing. Do you include Microsoft O365 in your definition?

Yes, Microsoft O365 is included.

Response:

Hywel Dda University Health Board (UHB) is unable to provide all of the information requested, as it has deemed that the information is exempt from disclosure under Section 31(1)(a) of the Freedom of Information Act 2000 (FoIA). The UHB has also considered the "mosaic effect"; the harm which will or will be likely to arise from the release of this information, along with information already in the public domain.

Section 31(1)(a) of the FoIA provides that information which is not exempt by virtue of Section 30 (criminal investigations and proceedings) is exempt if its disclosure would, or would be likely to, prejudice the prevention or detection of crime. The Information Commissioner's Office (ICO) guidance advises that Section 31, amongst other things, prevents information being disclosed that would increase the risk of the law being broken. In addition, it can be claimed by any public authority. The UHB is relying upon this exemption as it considers that releasing this information for questions 3, 4 and 5 relating to our IT systems, would in the present climate, make it more vulnerable to crime.

Section 31(3) of the FoIA provides that the duty to confirm or deny does not arise in relation to this information.

Section 31 of the FoIA is subject to the public interest test.

In favour of disclosure: The UHB has a duty to maintain openness and transparency in all of its activities, which will help to maintain public trust in the UHB.

In favour of non-disclosure: By releasing the information, the UHB would be vulnerable to this being used for crime, which potentially could compromise the security of both patient and staff information, whilst causing disruption to the flow of information through the UHB systems, impacting on patient care and safety. There is a clear public interest in protecting society and the UHB from the impact of crime. The UHB has given consideration to a cyber-attack in the NHS, in recent years, which is already in the public domain.

Decision: The UHB considers that the public interest in withholding the information for questions 3, 4 and 5 is greater than the interest in disclosing, therefore protecting the UHB from potential criminal activity.

Additionally, the UHB is unable to provide you with the information requested for question 2, as it is estimated that the cost of answering your request would exceed the “appropriate limit” as stated in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. The “appropriate limit” represents the estimated cost of one person spending 18 hours (or 2½ working days) in determining whether the UHB holds the information, and locating, retrieving and extracting the information.

Therefore, in order to provide you with the data requested, the UHB would need to undertake a manual interrogation of each cloud account to fulfil this part of your request, as this information is collated and recorded centrally.

Accordingly, the UHB is applying an exemption under Section 12 of the Freedom of Information Act 2000 (FoIA), which provides an exemption from a public authority’s obligation to comply with a request for information where the cost of compliance is estimated to exceed the appropriate limit.

However, under Section 16 of the FoIA, we are required as a public authority, to provide advice and assistance so far as it is reasonable, to individuals who have made a request under the FoIA. Therefore, the UHB provides the accessible information it holds for question 1 below.

1. The UHB did not have Cloud Computing in place prior to March 2021. However, from March 2021 the UHB committed costs of £125,000.00 to its Azure capacity as part of its Enterprise Agreement / reserved instance, and it has currently spent £45,000 of the allocated costs for Cloud computing.