



London Borough of Barnet,
2 Bristol Avenue, Colindale,
London NW9 4EW
5 November 2020
Our ref: 6758744

Thank you for your request received on 5 November 2020, for the following information:

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

1. Which of the following data sources is the local authority responsible for protecting?

- ☐ Personal citizen data
- ☐ Personal staff / civil servant data
- ☐ Research data
- ☐ Intellectual property
- ☐ Other, please specify

2. What is the average length of time data is stored by the local authority?

- ☐ Less than one year
- ☐ More than one year
- ☐ More than three years
- ☐ More than five years
- ☐ More than 10 years
- ☐ Other, please specify

3. Do you store data in the following locations?

- ☐ Private cloud
- ☐ Public cloud
- ☐ On-premise data centre
- ☐ Colocation data centre
- ☐ File server
- ☐ Other, please specify

4. A) Do you have a back-up of your organisation's data?

- ☐ Yes
- ☐ No
- ☐ Other, please specify

B) If yes, what third party organisations (vendor and/or supplier) do you use to backup your organisation's data?

5. Does your organisation have a disaster recovery plan in case of IT failure/outage?

- ☐ Yes
- ☐ No
- ☐ Other, please specify

6. A) Does your organisation have an official/formal policy detailing the disaster recovery process in the event of an IT failure/outage?

- ☐ Yes
 - ☐ No
 - ☐ Other, please specify
- B) If yes, how often is this updated?**
- ☐ At least once a month
 - ☐ Once or more a year
 - ☐ Less than once a year
 - ☐ It has never been updated
 - ☐ Other, please specify
- C) Can you share the official policy?**

7. A) Does your organisation conduct tests on its data backup and IT disaster recovery system?
- ☐ Yes
 - ☐ No
 - ☐ Other, please specify
- B) If yes, how often does your organisation test its data backup and IT disaster recovery system?
- ☐ At least once a month
 - ☐ Once or more a year
 - ☐ Less than once a year
 - ☐ It has never been updated
 - ☐ Other, please specify

8. A) Does your organisation use Microsoft Office 365?
- ☐ Yes
 - ☐ No
 - ☐ Other, please specify
- B) If so, how many users do you currently have?
- ☐ 0-99
 - ☐ 100-249
 - ☐ 250-499
 - ☐ Over 500
 - ☐ Other, please specify

9. A) How many unplanned IT outages has your organisation experienced in the last 12 months? (from the date of receiving this request)
- B) If more than zero, on average, how long did each of these unplanned IT outages last?

10. A) How many cyber-attacks against your organisation have you recorded in the last 12 months? (from the date of receiving the FOI request)
- B) If more than zero, of these incidents, how many had an impact on the organisation's operations?

11. When was the last time your organisation updated the following processes?
- ☐ The way data is backed up
- * Insert date:
- ☐ The way data backup and IT disaster recovery systems are tested
- * Insert date:
- ☐ Your organisations use of cloud computing technology
- * Insert date:

Definitions:

Re the above, the following definitions have been provided to help with this request.

- * A backup is a copy of computer data taken and stored elsewhere so that it may be used to restore the original after a data loss event.
- * An unplanned IT outage is a period of downtime during which IT systems are unavailable due to a network or power fault/failure.
- * A cyber-attack is an attack launched from one or more computers against another computer, multiple computers or networks. Specific examples include but are not limited to ransomware and phishing attacks.

We have processed this request under the Freedom of Information Act 2000.

Response

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

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- ☐ Personal citizen data
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The answer to the first question is all of the above.

2. What is the average length of time data is stored by the local authority?

- ☐ Less than one year
- ☐ More than one year
- ☐ More than three years
- ☐ More than five years
- ☐ More than 10 years
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Not held, we are PCN compliant and have Data Security & Protection Tool kit Assurance (a health requirement) and we have a retention schedule. There are a variety of retention periods for these data types.

3. Do you store data in the following locations?

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B) If yes, how often does your organisation test its data backup and IT disaster recovery system?

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o The way data backup and IT disaster recovery systems are tested

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Barnet has outsourced it's IT provision to Capita Details of the contract can be found at:

<https://open.barnet.gov.uk/dataset/customer-and-support-group-csg-contract>

Capita also manages the council's systems resilience and defences against cyber attacks.

Information relating to any successful cyber-attacks which the Council may or may not have experienced is exempt from disclosure under Section 31 of the Freedom of Information act 2000 - Law enforcement . This is because disclosure places the organization at the risk of crime. Whilst the bona fides of individual requesters may be genuine, FOI responses are made to the whole world which could lead the council vulnerable to cyber attack. See Refusal Notice below.

This information is exempt from disclosure under Section 31(3) of the Freedom of Information Act 2000. Section 31 of the FOIA relates to Law Enforcement, and Section 31(3) removes the public authority's duty to confirm or deny whether information is held if to do so would, or would be likely to prejudice law enforcement.

It is the council's view that the confirmation or denial of the possession of information relating to the council's cyber resilience, would be likely to compromise the council's information security strategies by giving cyber criminals insight into vulnerabilities which may, or may not, exist.

Section 31(3) is a qualified exemption, as such we have gone on to perform a public interest test in order to assess the public interest arguments for and against declaring whether or not the requested information is held.

In applying this exemption, we have had to balance the public interest in withholding the information against the interest in favour of disclosure.

Factors in favour of disclosure

Confirmation of possession would demonstrate a commitment to transparency with regard to the council's undertakings, and could provide assurance that the council have robust IT infrastructure in place.

Factors in favour of withholding

- Maintaining the integrity and security of the council's systems
- Preventing cyber-attacks and similar against the council systems.
- Revealing whether or not the information requested is held or applicable to London Borough of Barnet would be likely to offer cyber criminals insight into not only the strengths of the council's cyber security , but also any potential weaknesses what may exist. This could ultimately result in a future cyberattack. One of the reasons that cyber security measures are in place is to protect the integrity of personal and sensitive personal information.
- It is clear to see how the occurrence of a future cyber-attack would prejudice the council's legal duty to safeguard personal information from loss, theft, inappropriate access or destruction, which is why Section 31 has been employed in this case.

On balance the public interest in maintaining the exemption outweighs that in confirming or denying whether information is held and therefore the council neither confirms nor denies whether this information is held.

In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.