

London Borough of Barnet,
2 Bristol Avenue, Colindale,
London NW9 4EW
4 August 2022
Our ref: 8353388

Thank you for your request received on 3 August 2022, for the following information:

Under the Freedom of Information Act, I would like to respectfully request the following information:

Between August 1 2017 and August 1 2022, how many times has the council been the victim of a cyber attack/ hack.

Can you please detail what type information (eg residents' bank account details) was affected/accessed during the cyber attack/s and for how long.

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

Response

I can confirm that London Borough of Barnet holds the information you requested.

However, we believe that the exemptions detailed below apply to some/all of this information and this is withheld. Please see the Refusal Notice below.

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S31 - Law Enforcement

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.

Although the bona fides of the requester may be genuine FOI responses are public information and are made to the world. 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 the 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 that may exist. This could ultimately result in a future cyber attack. 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.
- * A cyber attack could have catastrophic consequences for council services for residents

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 Records & Information Management Service, Assurance Group, 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.