

Digital - Ransomware, Malicious Attacks & Threats

Reference Number: RDF1878-23

Date of Response: 09/10/23

Further to your Freedom of Information Act request, please find the Trust's response(s) below:

Please be aware that the Royal Devon University Healthcare NHS Foundation Trust (Royal Devon) has existed since 1st April 2022 following the integration of the Northern Devon Healthcare NHS Trust (known as Northern Services) and the Royal Devon and Exeter NHS Foundation Trust (known as Eastern Services).

Can the Trust provide please provide the following information.

1. *Which IT solution/software/SaaS does the Trust currently have deployed to secure their outbound web traffic against ransomware, malicious attacks & threats?*

Answer: The Trust cannot provide the requested information under Section 31(3) of the FOIA.

Section 31(3) of the Freedom of Information Act allows a public authority to neither confirm nor deny whether it holds information where such confirmation would be likely to prejudice any of the matters outlined in section 31(1). This includes information the disclosure of which would or would be likely to prejudice the prevention or detection of crime. Section 31(3) is subject to a public interest test for determining whether the public interest lies in confirming if the information is held or not.

Factors in favour of confirming or denying the information is held.

The Trust considers that to release the requested information would reveal details that could assist in a cyber-attack. However, the Trust recognises that answering the request would promote openness and transparency with regards to the Trust's IT security.

Cyber-attacks which may amount to criminal offences under the Computer Misuse Act 1990 or the Data Protection Act 2018, are rated as a Tier 1 threat by the UK Government. The Trust like any organisation may be subject to cyber-attacks and since it holds large amounts of sensitive, personal, and confidential information, maintaining the security of this information is extremely important.

In this context, the Trust considers that providing the requested information would also provide information about the Trust's information systems and its resilience to cyber-attacks. There is a very strong public interest in preventing the Trust's information systems from being subject to cyber-

attacks. Releasing the type of information requested would be likely to prejudice the prevention of cybercrime, and this is not in the public interest.

As an Operator of Essential Services:

(<https://www.legislation.gov.uk/ukxi/2018/506/schedule/2/paragraph/8>), the Trust must comply with The Network and Information Systems Regulations 2018. By releasing information that could increase the likelihood or severity of a cyber-attack, the Trust would fail to meet its security duties as stated in section 10 (<https://www.legislation.gov.uk/ukxi/2018/506/regulation/10>) of the Network and Information Systems Regulations 2018.

The prejudice in complying with Section 31(3) of FOIA is real and significant and would allow valuable insight into the perceived strengths and weaknesses of the Trust's IT infrastructure and information systems.

2. *When is the renewal date for this solution/tool?*

Answer: Please see response to question 1.

3. *Is the Trust intending to do market discovery prior / run a tender prior to contract renewal?*

Answer: The Trust will evaluate a variety of software, solutions and services prior to purchase or contract renewal of key services.

4. *Who is responsible for managing the solution within the Trust?*

Answer: The Trust does not release the names of staff below a Director under Section 40 (2) of the Freedom of Information Act 2000 Personal Information, where disclosure may contravene the Data Protection Act 2018 and therefore applies an exemption under Section 40 (2) - Personal Information of the Freedom of Information Act 2000 and Section 10 of the Data Protection Act 2018.

The Executive Director responsible for Digital Healthcare is Professor Adrian Harris, Medical Director. They are contactable via our main hospitals 01392 411611 (Eastern services) and 01271 322577 (Northern services) or via the Trust 'Contact Us' link on royaldevon.nhs.uk

Where contact details are given for Trust staff in this response, notice is hereby given, under Section 11 of the Data Protection Act 2018, on behalf of the individual or individuals that this personal information may not be used for the purposes of direct marketing.