

12 April 2023

## ICO Case Reference IC-22241-W1F3

### Request for information

Request received 20 March 2023:

*"I would like information on cyber incidents at UK pension schemes. I have read the information supplied for this request: IC-168413-Z9R6*

*Please provide up-to-date information, going back as far as possible, about:*

- The number of cyber incidents at UK pension schemes — divided into cyberattacks and incidents that weren't cyberattacks*

*From the information you provided for IC-168413-Z9R6 it looks as if you can't say whether personal data was accessed or lost. But if you can, I would like that information as well."*

Your request has been handled under the Freedom of Information Act 2000 (the FOIA). As you are aware, this legislation provides public access to recorded information held by a public authority unless an appropriate exemption applies.

### Our response

We do hold information in scope of your request.

Our response to [IC-168413-Z9R6](#), still available on the ICO Disclosure Log, is from May 2022 and provides available information to that date. Subsequent information relevant to your request is available on our pro-actively published [complaints and concerns data sets](#) on our website. These include data sets about [Personal data breach \(PDB\) cases](#), which can be filtered according to sector, including a sub-sector for 'Pensions'. These data sets can also be filtered by incident type (cyber or non-cyber), and by decision, which indicates if personal data was accidentally or unlawfully destroyed, lost, altered, made unavailable, disclosed, or accessed ('Breach recorded') or not ('Not PDB').

Some PDB reports are referred to our Cyber Investigations team, and these are recorded separately in our [Cyber investigations](#) data sets. These show the organisations involved and the outcome.

Please note, the data sets show data breaches and potential data breaches that have been reported to the ICO. Other incidents may have occurred that

were not reported, and we do not expect every breach to be reported. You can find guidance on [Self-assessment for data breaches](#) on our website.

We also publish information about [Data security incident trends](#) on our website which may be of interest to you. This includes an interactive dashboard, and the option to download data to a .csv file. You can also view our [Glossary of terms](#) page for an explanation of the terms we use when recording breaches.

## **FOIA Section 21**

Some of the information requested is already reasonably accessible to you on our Disclosure Log and in our published data sets, and so technically it is withheld under section 21 of the FOIA. Section 21 states that we do not need to provide you with a copy of information when you already have access to it. However, we have provided the links above for your convenience.

## **FOIA section 22**

Some of the information, namely the information requested for Quarter 2 2022/23 to date, is intended for future publication. This means that it is exempt from disclosure under section 22 of the FOIA.

This is not an absolute exemption, which means we must consider the public interest in disclosing or withholding the information.

The factors in favour of disclosing the information are:

- Openness regarding the casework of the ICO.
- Openness regarding the data security practices of different organisations and sectors.

The factors in favour of withholding the information are:

- The ICO has a history of publishing this information on a regular basis and has committed to publishing further relevant data sets which will include the requested information. At that point, the information will be in the public domain anyway.
- Earlier disclosure is not necessary to satisfy any pressing public interest at this time.
- To prepare this information for disclosure earlier than our intended date of publication in response to individual requests would not be an efficient use of resources.

Having considered the public interest arguments, we have decided to withhold this information in reference to section 22 of FOIA.

This concludes our response to your request.

### **FOI review procedure**

If you are dissatisfied and wish to request a review of our decision or make a complaint about how your request has been handled you should write to the Information Access Team at the address below or e-mail [accessicoinformation@ico.org.uk](mailto:accessicoinformation@ico.org.uk).

Your request for internal review should be submitted to us within 40 working days of your receipt of this response. Any such request received after this time will be considered only at the discretion of the Commissioner.

If having exhausted the review process you are not content that your request or review has been dealt with correctly you have a further right of appeal to this office in our capacity as the statutory complaint handler under the legislation.

To make such an application, please write to our FOI Complaints and Compliance team at the address given, or visit our website at [Official information concern | ICO](#).

### **Your information**

Our [Privacy Notice](#) explains what we do with the personal data you provide to us and what your rights are. This notice includes entries regarding the specific purpose and legal basis for the ICO processing information that people such as [information requesters](#) have provided to us.

The length of time we keep information is laid out in our [retention and disposal policy](#).

Yours sincerely

Information Access Team  
Risk and Governance Department

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