

23 August 2023

Case Reference IC-252909-G7D6

Your request

You asked us for the following:

- *"In how many cyber incidents was the affected organisation unable to restore the personal data affected to the same state it was in before the incident"*
- *How many cyber incidents were reported to the ICO in total in the same period*

I would like this data broken down by 12-month periods for each of the last two years, ending 30 June 2023."

Where your questions satisfy the criteria of a valid information request, we have considered your request under the Freedom of Information Act 2000 (FOIA).

Our response

Conducting the searches necessary to confirm if we hold the information you have asked for would exceed the cost limit set out by section 12 of the Freedom of Information Act 2000 (FOIA).

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 states that the 'appropriate limit' for the ICO is £450. We have determined that £450 would equate to 18 hours work.

Whether a data controller restored information to its state prior to a breach is not information we normally need for our purposes, as opposed to whether a data controller has responded appropriately to protect data (which may not involve restoration to a pre-breach state). Our case management system is unable to run a quick automated report on this type of information. To locate the information you have requested would require a manual search of over 5,000 personal data breach reports as well as any consequent investigation cases.

Assuming that each search would take 4 minutes to complete – and it is certain that some searches would take much longer than that – this would equate to over 300 hours' worth of searching. This clearly exceeds the 18 hours which would accrue a charge of £450

or more, triggering the provisions of section 12 of the FOIA.

Advice and assistance

The sheer volume of the information that would need to be searched, means that it would be difficult to refine your request to a searchable sample, whilst also providing a useful or accurate picture of the overall data we hold.

Even were we to be able to identify and information within scope of your request, we would then need to consider any other exemptions that would apply to it.

We would also need to consider if it is in the public interest for us to dedicate the resources necessary to carry out this kind of search and analysis, or whether it represents an unreasonable burden on us as a public authority.

We do publish datasets with automatically reportable details of the breach reports we receive and any subsequent investigations. You can access these reports by following these links:

[Personal data breach cases - data sets | ICO](#)

[Cyber investigations | ICO](#)

These datasets are updated regularly.

This concludes our response.

We hope you find this information helpful.