

5 January 2024

**IC-275446-K1K6**

**Request**

You asked us:

*"I write [...] to inquire as to whether the ICO has conducted any investigation, report and/or taken any enforcement action arising from a cyber-attack on Advanced Health and Care Limited between 2nd and 4th of August 2022.*

*The local authority are currently in dispute with Advanced in connection with the failure of Advanced to restore software systems to the local authority arising out of what was a high-profile cyber-attack. This affected systems provided by Advanced to organisations such as the County Council and the National Health Service. The attack, itself, was reported widely in the national press and has been subject comment on various specialist websites.*

*In the circumstances, I would be most grateful if you could check and advise as to whether your undertaken any investigatory work in connection with this cyber-breach and whether or not any findings connected with such process are available in the public sphere or whether such can otherwise be disclosed [...]."*

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

**Our response**

We have interpreted your request as being for confirmation that the ICO holds information about an investigation into the incident described and confirmation of whether the ICO holds details of any final outcome or enforcement action in relation to such an investigation.

We can confirm that we hold some information in scope of your request.

We can confirm that the ICO is in the process of investigating an incident matching the description you provided.

However, as the investigation is ongoing, we do not hold any information about the ICO's findings, outcome or enforcement action regarding the incident.

This concludes our response to your request.

### **Further advice and assistance**

Please be advised that, as the investigation is ongoing, it is likely that further details of the investigation would be withheld under section 31(1)(g) of the FOIA. We can rely on section 31(1)(g) of the FOIA where disclosure:

*"would, or would be likely to, prejudice... the exercise by any public authority of its functions for any of the purposes specified in subsection (2)."*

To release further details of the investigation could prejudice the ICO's ability to conduct the investigation in an appropriate manner. Disclosure at this stage would discourage our ongoing discussions between the ICO and Advanced Health and Care Limited and may damage our ability to conduct and conclude the investigation fairly and proportionately.

The ICO pro-actively publishes information about notable investigations on our website, including details of enforcement action. You can find details of the action we've taken at [ico.org.uk/action-weve-taken/](https://ico.org.uk/action-weve-taken/). You can find information specifically about our enforcement action, including enforcement notices and reprimands, at [ico.org.uk/action-weve-taken/enforcement/](https://ico.org.uk/action-weve-taken/enforcement/).

### **Next steps**

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full [review procedure](#) on our website.

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint](#) through our website.

## **Your information**

Our [privacy notice](#) explains what we do with the personal data you provide to us, and sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely



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