

17 June 2024

## **IC-307911-J2V0**

### **Request**

You asked us:

*"Please could you provide the following information:*

- 1. The total number of data breaches of UK business where credit card details of customers may have been compromised in 2021, 2022, and 2023 [...].*
- 2. Total number of customers whose credit card details that may have been compromised as a results of data breaches in 2021, 2022, and 2023 [...]."*

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

### **Our response**

We interpreted your request as being for the number of personal data breaches reported to the ICO that involved the credit card details of the reporting organisation's customers, as well as the total number of customers affected.

It is likely that we hold some information in scope of your request. However, 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.

Our case management system is unable to run a quick automated report on personal data breaches that specifically involve credit cards. Locating the

information you have requested would require a manual search of thousands of cases.

In 2023 alone, we received over 1000 personal data breach reports involving the economic and financial data and data subjects in the "customer or prospective customer" category.

Assuming that each search would take approximately 3 minutes to complete – and it is certain that some searches would take much longer than that – manual search of 2023 alone would equate to over 50 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**

With regard to searches of our systems, it is of particular note is that the topic of your request is not unique to any specific sector or type of breach. It is therefore challenging to offer suggestions for refining your request that would bring our searches below the section 12 limit.

One possibility might be to refine your request by restricting its scope to specific organisations or sectors that you may be interested in. Alternatively, you could restrict the scope of your request to more specific date ranges, or to cases where the ICO pursued investigation.

It may be useful for you to refer to the [data security incident trends](#) tool on our website. This page contains information on data security breaches that have been reported to us. Alternatively, you may wish to review our [complaints and concerns data sets](#).

This would still likely require a manual search. We would therefore need to consider if it is in the public interest for us to dedicate the resources necessary to carry out this kind of search, or whether it represents an unreasonable burden on us as a public authority.

It is also worth noting that the ICO retains personal data breach cases for two years following case closure, unless we took formal regulatory action, in which case they are retained for six years.

There will accordingly be limitations in any data we might hold prior to 2022.

For more information, you may wish to refer to our disclosure log, in particular,

[Disclosure IC-298662-Q0X3](#), which outlines some recent data sets on personal data breach cases by category.

### **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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