

Date: 11 July 2024

IC-309106-F2Z9

Request

You asked us:

"Organisation criteria:

EITHER: Supply the information sought for organisations on the supplied Scottish Information Commissioner's list, where the organisation submitted their PDB using the online form, and recorded their organisation size as 51-249 in their latest PDB.

OR: If that would exceed the cost limit, supply the information sought for all organisations on the supplier Scottish Information Commissioner's list.

Information sought:

- * What was the total number of self-reported data breaches for organisations in the organisation criteria in 2022/23?*
- * What was the average number of self-reported data breaches for organisations in the organisation criteria in 2022/23?*
- * What was the total number of self-reported data breaches for organisations in the organisation criteria and in the Education and childcare sector in 2022/23?*
- * What was the average number of self-reported data breaches for organisations in the organisation criteria and in the Education and childcare sector in 2022/23?*
- * What is the highest fine you have ever issued to an organisation in the organisation criteria for a self-reported data breach?*

** What was the biggest cause of data breaches self-reported across all organisations in the organisation criteria during 2022/23?"*

We received your request on 21 June 2024, which is when your request was considered clear and feasible to proceed with. During this clarification, you also confirmed you were happy with exact matching from the list in order to avoid a section 12 outcome. We have handled your request under the Freedom of Information Act 2000 (the FOIA).

Our response

In relation to the first four parts of your request about total numbers of PDBs and averages, I can confirm that we hold information in scope of your request, although it is very limited in scope.

You supplied a list of 496 Scottish public authorities which was from the Scottish Information Commissioner's 2023/24 annual reporting. I asked our data team for the number of PDBs submitted by each of those organisations where we had an exact match for the entity name in our case management system. Of these, there were 64 exact matches.

There is no way for us to automatically determine if the PDB was submitted to us using our online form or using our PDB Word document template. However, owing to the small number of exact matches, I manually extracted the organisation size from the PDBs submitted, with the PDBs submitted via the online form being the ones that have the slightly more granular organisation size of '51-249'.

I can confirm that of the 64 exact matches, only three organisations recorded their organisation size as "51-249". These organisations submitted a total of four PDBs in 2022/23 with an average of 1.333... PDBs per organisation. Only one of these organisations was in the 'Education and childcare' sector and they reported two PDBs for an average of two in the 'Education and childcare'.

The above represents the information held within the parameters of the search and therefore the information in scope of the FOIA request. However, I appreciate the information held doesn't provide a full picture so, in the event that it might be helpful, I have also calculated the totals and averages for all exactly matched Scottish public authorities regardless of size in line with the "OR" statement in the request.

I can confirm that of the 64 exact matches, there were 241 PDBs submitted in 2022/23 with an average of 3.77 PDBs per organisation. Of these, 16 organisations were in the 'Education and childcare' sector and they submitted 24 PDBs with an average of 1.5 PDBs submitted per organisation over the year.

In relation to the fifth part of your request concerning the highest fine we have issued to an organisation that meets the stipulated organisational criteria, following reasonable searches of our records, I can confirm that we do not hold any information in scope of this part of your request.

Finally, in relation to the sixth and final part of your request concerning the biggest cause of data breaches across all organisations, I can confirm we hold information in scope of this part of your request. Our case management system records an 'incident type' which captures the broad nature of the PDB. The following table summarises the information held:

Incident type	Count
Other non-cyber incident	60
Data emailed to incorrect recipient	45
Unauthorised access	23
Loss/theft of paperwork or data left in insecure location	22
Failure to redact	19
Data posted or faxed to incorrect recipient	15
Ransomware	14
Hardware/software misconfiguration	12
Verbal disclosure of personal data	9
Other cyber incident	7
Failure to use bcc	5
Not Provided	3
Phishing	3
Data of wrong data subject shown in client portal	2
Denial of service	1
Incorrect disposal of paperwork	1

This concludes our response to your request. I hope you find the information helpful.

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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