

30 September 2024

IC-329480-R2N1

Request

You asked us:

1. *Can you confirm how many cyber incidents have been reported to you by Water Companies in the last 12 months*
2. *Can you confirm how many of these incidents warranted further investigation by the ICO/DWI*
3. *For each incident reported/investigated, can you share:*
 1. *What caused the incident:*
 1. *ransomware*
 2. *malware*
 3. *exploited vulnerability*
 4. *third party supply chain breach*
 5. *trusted employee/insider*
 6. *Other*
 2. *What was the result of the incident:*
 1. *a data breach and, if so, what sort of information was exposed*
 2. *an outage that mean systems were offline and, if so, for how long*
4. *Can you confirm if the company received a monetary fine under GDPR/NIS and, if so, how much*
5. *Can you confirm what recommendations were made to the company to strengthen their cybersecurity defences*

We received your request on 3 September 2024.

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

Our response

We have interpreted your request to be about personal data breaches reported to the ICO by UK water companies where the breach was recorded as a cyber incident.

We have responded to each part of your request below.

1. From 1 September 2023 to 31 August 2024 we received 8 reports from Water companies which have been recorded on our system as a cyber incident.

We publish data sets of [self-reported personal data breach cases](#) on our website. The breaches can be filtered by sector and to show only those which were recorded as a cyber incident.

2. 1 of the 8 self-reported personal data breach reports which fall within the scope of your request progressed to an investigation. This is currently open and is being handled by our Cyber team.

3. We do not record self-reported data breaches using the exact categories which you have provided in part 3 of your request, however we do hold some information which falls within the scope of both parts 3.1 and 3.2 of your request. This information is exempt from disclosure in reliance upon section 44 of the FOIA which places prohibitions on disclosure.

Section 44(1)(a) of the FOIA states;

'(1) Information is exempt information if its disclosure (otherwise than under this Act) by the public authority holding it -

(a) is prohibited by or under any enactment'

In this case, the Data Protection Act 2018, Part 5, section 132 prohibits the disclosure of confidential information that -

- (a) has been obtained by, or provided to, the Commissioner in the course of, or for the purposes of, the discharging of the Commissioner's functions,
- (b) relates to an identified or identifiable individual or business, and
- (c) is not available to the public from other sources at the time of the disclosure and has not previously been available to the public from other sources,

unless the disclosure is made with lawful authority.

We do not have lawful authority to disclose this information to you as it was provided to us in confidence. We consider that due to the small number of water companies operating in the UK, and the information we publish in our data sets, the organisations are identifiable. Section 132(3) imposes a criminal liability on the Commissioner and his staff not to disclose information relating to an identifiable individual or business provided to us or obtained for the purposes of carrying out our regulatory functions, unless we have the lawful authority to do so or it has been made public from another source.

4. We have not issued any monetary penalties to water companies in the time period you are interested in.

We publish details of our [enforcement action](#) on our website, as well as details of [civil monetary penalties](#) we have issued.

5. We do not hold any information which falls within the scope of this part of your request.

Regarding the 7 reports which did not progress to a formal investigation, we provided general advice about compliance with UK data protection legislation. We did not provide specific recommendations regarding their cyber security practices.

Regarding our open investigation, this is an ongoing matter however we can confirm that we have not made any recommendations which fall within the scope of your request at this point.

This concludes our response.

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



Information Access Team
Information Commissioner's Office, Wycliffe House, Water
Lane, Wilmslow, Cheshire SK9 5AF

ico.org.uk twitter.com/iconews

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**For information about what we do with personal
data see our [privacy notice](#)**