



# EAST CAMBRIDGESHIRE DISTRICT COUNCIL

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Further to your information request FOI/EIR 22/23-156 please find your question and our response below.

## Request:

Between August 1 2017 and August 1 2022, how many times has the council been the victim of a cyber-attack/ hack.

Can you please detail what type information (e.g. residents' bank account details) was affected/accessed during the cyber-attack/s and for how long?

## Response:

We can neither confirm nor deny whether we hold this information. Section 31(1)(a) exempts information if its disclosure under this Act would prejudice the prevention or detection of crime. By confirming or denying whether we hold information of this type, this could in itself disclose information which would, or would be likely to, prejudice the prevention or detection of crime.

As Section 31(1)(a) is a qualified exception, we, the authority, must consider the balance of public interest in the circumstances of the request.

### Arguments in favour of disclosing the information:

- There is public interest in the Council's accountability and transparency.

### Arguments in favour of withholding the information:

- While there may be public interest in knowing this information, the ICT Department considers that providing the requested information would, or would be likely to, substantially prejudice and present a significant risk to the security arrangements in place to protect the network as well as information and data held by our Council.
- Disclosure of information relating to ICT security puts the Council at risk of a malicious hacking attack. This would compromise the Council's ability to provide its services and carry out 'business-as-usual' should our systems be compromised. Were our systems to be compromise, the cost of a system recovery would be detrimental to the Council's commercial interests.
- There is an overwhelming public interest in keeping the Council's computer systems secure which would be served by non-disclosure.

Whilst the Council strongly believes in the principle of open and accountable local government, the public interest in maintaining the exception outweighs the public interest in disclosing the information.

In respect of those requests that where answered in full or partially and the total refused please take this as notice under FOIA, that we:

- a) Consider the information as exempt from disclosure under the Act;
- b) Claim exempt under sections of the Act:

### **Section 31(1)(a) of the Freedom of Information Act 2000**

- c) State why the exemption applies:

**31. Law enforcement (1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice (a) the prevention or detection of crime**

This exemption covers all aspects of the prevention and detection of crime, including public authorities without any specific law enforcement responsibilities. The exemption can be used not only to withhold information provided to a law enforcement agency, but also to withhold information that would make anyone, including the public authority itself, more vulnerable to crime. Further guidance on section 31 can be found here:

<https://ico.org.uk/media/for-organisations/documents/1207/law-enforcement-foi-section-31.pdf>

This concludes your request FOI/EIR 22/23-156

If information has been refused please treat this as a Refusal Notice for the purposes of the Act.

If you disagree with our decision or are otherwise unhappy with how we have dealt with your request in the first instance you may approach [foi@eastcambs.gov.uk](mailto:foi@eastcambs.gov.uk) and request a review. A request for review must be made in no more than 40 working days from the date of this email.

Should you remain dissatisfied with the outcome you have a right under s50 of the Freedom of Information Act to appeal against the decision by contacting the Information Commissioner, Wycliffe House, Water Lane, Wilmslow SK9 5AF.

