



Department
for Environment
Food & Rural Affairs

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www.defra.gov.uk

Your ref:
Our ref: RFI 5697
Date: 29 August 2013

Dear

REQUEST FOR INFORMATION: DATA LOSSES

Thank you for your request for information about data losses or leaks since January 2012, which we received on 2 August 2013. We have handled your request under the Freedom of Information Act 2000 (FOIA)

I enclose the information you requested.

1. The number of data losses or leaks the department has had since January 2012 until present. Could it be indicated whether the data was lost permanently, or whether it was leaked or fell into the possession of anyone outside the department. This could be any type of data held.

Between January 1st 2012 and August 2nd 2013 the department has had 6 cases of data loss, two of which resulted in permanent loss of the documents. There has also been one leak.

2. The number of times the Data Protection Act has been breached at the Department in any way, including the disclosure of details of those employed by the department or its agencies or members of the public.

There have been three incidents recorded as breaches of the Data Protection Act since January 2012.



3. If possible could we get the details of each data loss, leak or breach of the Data Protection Act.

Incident details:

Leaks

- Breach of the procedures for releasing an Official Statistic through an embargoed press release by providing the results to the press prior to the official release time and date. A procedural leak which was confirmed as not intentional.

Data Losses

- 7 staff records sent to an external agency via Royal Mail. Investigated as a suspected case of being lost in transit, the agency subsequently confirmed the records had in fact been received and were not in fact lost. The data was not compromised.
- Recruitment panel guidance notes left on a train. Subsequently recovered.
- MPs letters delivered in person to Department on subject of flooding were investigated as lost when they were not answered. Investigation confirmed the files had been wrongly labelled on receipt and misfiled as a result. No data was compromised as the letters had not left the Department.
- An unencrypted USB memory stick holding published and publicly available information was reported as lost at a conference. It was recovered the following day.
- Discussion papers for an internal meeting were either left in a taxi or at the meeting venue. Papers permanently lost.
- Papers for an internal meeting left on a train. Papers permanently lost.

Breaches of Data Protection Act

- Two penalty letters were issued, each with an attachment relating to the other recipient, one of which contained personal information.
- Email about employment matters sent to another staff member sharing the same name as the intended recipient.
- Non-sensitive newsletter emailed to approx 100 recipients as open copy recipients rather than as blind copy recipients.

4. The fines paid for any breaches.

No fines have been paid as there have been no breaches to report to the Information Commissioners Office.

In keeping with the spirit and effect of the FOIA, and in keeping with the government's Transparency Agenda, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you will now be published on www.gov.uk together with any related information that will provide a key to its wider context. Please note that this will not include your personal data.

I attach Annex A, which explains the copyright that applies to the information being released to you.

I also attach Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact me.

Yours

Annex A

Copyright

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Annex B

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Mike Kaye, Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: requestforinfo@defra.gsi.gov.uk) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

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