

Freedom of Information request 203-21

Request

I would be grateful if you could provide the following information under the FOI Act.

1. For the last 5 years, in each calendar year the number of self referrals your Organisation has made to the ICO for data breaches that met the ICO's threshold.
2. Over the last 5 years, in each calendar year, the number of investigations the ICO has conducted into your Organisation (whatever the referral source), the reason for the investigation and the outcome.

Response

1. Self-referrals:

Year	Number
2016	0
2017	0
2018	3
2019	0
2020	2
2021	0

2. ICO investigations:

Year	Number	Reason for investigation	Outcome
2016	0		
2017	0		
2018	0		
2019	0		
2020	1	Failed to provide all relevant information in response to SAR within required statutory timeframe allowed.	No further action necessary
2021	2	Failure to respond to SAR within statutory timeframe allowed	Explanation to be issued to complainer
		Failure to provide requested information in response to SAR	Disputed – Ongoing

If you are not satisfied with the way your request has been handled or the decision given, you may ask NHS Borders to review its actions and the decision. If you would like to request a review please apply in writing to, Freedom of Information Review, NHS Borders, Room 2EC3, Education Centre, Borders General Hospital, Melrose, TD6 9BS or foi.enquiries@borders.scot.nhs.uk.

The request for a review should include your name and address for correspondence, the request for information to which the request relates and the issue which you wish to be reviewed. Please state the reference number **203-21** on this request. Your request should be made within 40 working days from receipt of this letter.

If following this review, you remain dissatisfied with the outcome, you may appeal to the Scottish Information Commissioner and request an investigation of your complaint. Your request to the Scottish Information Commissioner should be in writing (or other permanent form), stating your name and an address for correspondence. You should provide the details of the request and your reasons for dissatisfaction with both the original response by NHS Borders and your reasons for dissatisfaction with the outcome of the internal review. Your application for an investigation by the Scottish Information Commissioner must be made within six months of your receipt of the response with which you are dissatisfied. The address for the Office of the Scottish Information Commissioner is, Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife.