

Freedom of Information request 437-22

Request

1. The number of patient data breaches recorded in 2019, 2020, 2021, and up to August 2022, broken down by date and details of the breach, and whether any staff faced disciplinary action for the breach (written warnings, reported to Police Scotland etc)
2. In cases where information was shared in the breaches, a breakdown of the type of information that was shared (e.g. email address, medical information/conditions etc.)
3. The total number of patients whose data was breached in 2019, 2020, 2021, and up to August 2022, broken down by year.

Response

- 1&2 Please find attached a spreadsheet with the data requested for both questions. Incidents are reported via the Incident recording system. This does not record disciplinary action for confidentiality reasons so that information is not available. NHS Borders follows the NHS Scotland policies relating to staff conduct:



Data Table 437-22
Response.xlsx

3. NHS Borders do not record the number of patients affected by each incident, therefore under Section 17 of the FOI(S)A 2002 this data is not held.

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 **437-22** 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.