



Foreign &
Commonwealth
Office

Knowledge Management Department
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH

Website: <https://www.gov.uk>

26 October 2016

Dear

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0904-16

Thank you for your email of 30 September asking for information under the Freedom of Information Act (FOIA) 2000. Your request was as follows:

I am writing under the Freedom of Information Act 2000 to request information about breaches of the Data Protection Act 1998 in your organisation, specifically I am requesting the following information:

1. *Does your Department pro-actively report breaches of Data Protection Act 1998 to the Information Commissioner's Office?*
 1. *If the answer is yes, please provide the number of breaches that have been reported.*
2. *Does your Department have an internal procedure for responding to breaches of the Data Protection Act 1998?*
 1. *If the answer is yes please provide the number of breaches that have occurred.*
3. *I further request that your responses to Questions 1 and 2 are broken down as follows:*
 1. *The number of employees that have been disciplined internally for breaches of the Data Protection Act 1998.*
 2. *The number of employees that have resigned during disciplinary procedures for breaches of the Data Protection Act 1998.*
 3. *The number of instances where a breach has not led to any disciplinary action.*
 4. *The number of employees that have had their employment terminated for breaches of the Data Protection Act 1998.*
 5. *The number of employees that have been convicted for breaches of Data Protection Act 1998.*

In each case, I request that you provide a list of the offences committed by the individual(s) in question, for example "Accessed personal information for personal interest" or "Inappropriately shared information with a third party".

I request that the time period covered is 1st June 2011-1st June 2016.

I further request that the information be displayed in the following format; I have provided the following examples for clarification:

| Outline of what was lost/reported missing/accessed | Data contained | Action taken criminal/discipline | Reported to ICO? | Additional responses to rectify loss |
|---|--|---|-------------------------|---|
| Example: Confidential data. | Confidential data relating to a family member. | First written warning. | Yes | Additional training given. |
| Example: USB stolen. | Personal sensitive data. | Verbal warning | No | Theft reported to Police. |

My preferred format to receive this information is electronically, but if that is not possible I will accept hard copies. I understand that under the Freedom of Information Act I am entitled to a response within twenty working days.

I would be grateful if you could confirm this request in writing as soon as possible”.

I am writing to confirm that the Foreign and Commonwealth Office (FCO) does hold information relevant to your request.

The answer to parts 1 and 2 of your request is, yes. Under section 21 of the Act, we are not required to provide information in response to a request if it is already reasonably accessible to you. The figures you have asked for are published in our Annual Report and Accounts, (within the Management Commentary section) at the following link:

<https://www.gov.uk/government/collections/annual-report-and-accounts>

Regarding part 3 of your request, I can confirm that none of the breaches in question have resulted in formal disciplinary action, termination of employment or conviction.

I consider that further details of the breaches concerned are exempt from release under Section 24 (1) (National Security) of the FOIA. Section 24 is a qualified exemption, which means that it is subject to a public interest test.

I acknowledge the public interest in the correct handling of personal data by public authorities such as the FCO, and in our procedures for handling incidents concerning such data. However, I consider that disclosure of information relating to our security procedures and policies, especially details of when those procedures/policies have not been followed correctly, and the action taken to deal with any breaches of those procedures, could compromise the confidentiality and integrity of our security systems more widely and consequently have an adverse impact on national security. For this reason I consider that the public interest is better served by withholding the information requested.

Once an FOI request is answered, it is considered to be in the public domain. To promote transparency, we may now publish this response on [gov.uk](https://www.gov.uk) in the [FOI releases](#) section. All personal information in the letter will be removed before publishing.

Yours sincerely

Knowledge Management Department



We keep and use information in line with the Data Protection Act 1998. We may release this personal information to other UK government departments and public authorities.