



# Freedom of Information Request

18<sup>TH</sup> July 2024

## Question

Please include the following information each of the following financial years 2021/22, 2022/23 and 2023/24:

1. The number of data breaches have occurred
2. How many people were affected in each data breach
3. Total number of claims made against the NHS Trust
4. Total number of claims that have been upheld
5. Total cost that has been paid out each year
6. The largest payout given to a single person each year

## Answer

1. I can confirm that the Service has had the following number of personal data breaches reported to the Information Governance Team.

2021/22 - 33

2022/23 – 57

2023/24 – 64

2. How many people were affected in each data breach

Every data breach which is reported to the SAS Information Governance Team is fully investigated.

During each investigation we assess how many individuals (data subjects) may have been affected by the personal data breach this information is not held on a central system which can be used to report on this figure. It is for this reason, the information is not held and we have applied Section 17 of FOISA to this part of your request.

3. Please see below the number of claims made to SAS in relation to personal data breaches.

Note: this information is based on the year the claim was received by SAS which may differ to the year the personal data breach occurred.

2021/22 <5

2022/23 0

2023/24 <5

4. Please see below the total number of claims made to SAS in relation to personal data breaches that were upheld

Note: this information is based on the year the claim was settled by SAS which may differ to both the year the personal data breach occurred and the initial claim was made.

2021/22 0

2022/23 <5

2023/24 12



**Scottish  
Ambulance  
Service**

University National NHS Board



5. Please see below the total costs of claims made to SAS in relation to personal data breaches. The costs include all settlement costs, outlays, legal fees and expenses.

Note: this information is based on the year the claim was settled by SAS which may differ to both the year the personal data breach occurred and the initial claim was made.

2021/22 £4,813

2022/23 £11,708

2023/24 £27,349

6. The largest payout given to a single person each year

We consider this information to be exempt from disclosure under the Freedom of Information Scotland Act 2002, as per section 38 1(b). An exemption under section 38(1)(b) of FOISA states: information which relates to a living individual other than the applicant for the information will be exempt where the disclosure of the information would contravene any of the data protection principles in Article 5(1) of the UK GDPR and in section 34(1) of the DPA 2018.

The exemption is absolute, so it is not subject to the public interest test in section 2(1) of FOISA (see section 2(2)(e)(ii) of FOISA.)