

BIG BROTHER WATCH

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NHS Data Breaches

A Big Brother Watch Report

November 2014

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Key Findings

All results are for the years 2011 to 2014 unless otherwise indicated. A full list of NHS organisations is available in tables 2-7.¹

- There have been at least **7,255** breaches. This is equivalent to:
 - **2,418** breaches every year.
 - **201** breaches every month.
 - **46** breaches every week.
 - **6** breaches every day.
- There have been:
 - At least **50 instances** of data being **posted on social media**
 - At least **143 instances** of data being **accessed for “personal reasons”**
 - At least **124 instances** of cases **relating to IT systems**
 - At least **103 instances** of data **loss or theft**
 - At least **236 instances** of data being **shared inappropriately via Email, letter or Fax**
 - At least **251 instances** of data being **inappropriately shared with a third party**
 - There were **115** cases of **staff accessing their own records**.
- There have been at least **61 resignations** during the course of disciplinary proceedings.
- There is **1 court case pending, for a breach of the Data Protection Act**. In this instance the individual may have also resigned prior to proceedings.

¹ All results for Clinical Commissioning Groups (CCGs) are from 2013-2014. CCGs were first established in April 2013.

Table 1: Top Ten - Highest number of data breaches

	Trust	Number of Breaches (2011-2014)
1	South West Yorkshire Partnership NHS Foundation Trust (Mental Health)	869
2	Taunton and Somerset NHS Foundation Trust	546
3	Cambridge University Hospitals NHS Foundation Trust	534
4	Northamptonshire Healthcare NHS Trust (Mental Health)	346
5	Bradford District Care	280
6	Northern Devon Healthcare NHS Trust	276
7	NHS Borders	180
8	East London NHS Foundation Trust (Mental Health)	178
9	Guy's and St Thomas' NHS Foundation Trust	175
10	The Royal Bournemouth and Christchurch Hospitals NHS Foundation Trust	165

Introduction

This report comes at crucial time for the NHS. With increasing amounts of our personal data and information being held by the health service, their ability to store it securely and to ensure its safety is coming under growing scrutiny.

NHS Data Breaches follows our 2011 report, **NHS Breaches of Data Protection Law**, which found that for the period July 2008 until July 2011 there were 806 breaches.² The 2014 report continues where the last finished, with the findings indicating that far from improving the situation has worsened. It is because of this that we are calling for definitive action to deter such data breaches, including the introduction of custodial sentences.

This report should not be taken as suggesting that the NHS is the only organisation, public or private, that needs to improve with regards to data protection. Previous Big Brother Watch reports, such as **Local Authority Data Loss**, have highlighted that the problem is far more widespread.³

It is arguable however, that what is unique to the NHS is that the information held about patients by health agencies is amongst the most personal and private information that it's possible to record. If patients have any reason to think that their data isn't safe within the NHS, then it could lead to a situation whereby people stop reporting symptoms or asking for the necessary help. This is state of affairs that must be avoided at all costs. For these reasons it deserves special attention and this report should be seen as an urgent wake-up call to the NHS.

An example of repercussions of lack of trust with regards to health is the widespread opposition to the care.data scheme.⁴ The scheme's rollout was delayed in February 2014 after those behind the database failed to properly communicate their intentions with the public. The importance of this can be seen in a recent report by the Joseph Rowntree Reform Trust which indicated that 94% of those polled believed that it was important or essential for the privacy of medical records to be maintained.⁵

² Big Brother Watch, NHS Breaches of Data Protection Law, 28th October 2011:

http://www.bigbrotherwatch.org.uk/files/NHS_Breaches_Data_Protection.pdf

³ Big Brother Watch: Local Authority Data Loss, 23rd November 2011: <http://bigbrotherwatch.org.uk/la-data-loss.pdf>

⁴ Care.data - see pages 8-9.

⁵ Polling by Ipsos MORI for JRRT conducted in April-May 2014 <http://www.jrrt.org.uk/publications>

Had the scheme gone ahead it would have resulted in a major increase in the amount of data sharing in the NHS. Inevitably, this would have also increased the amount of potential breaches that could have occurred, all without thought to the weakness of the legislation that is supposed to guard against such occurrences. With schemes such as this becoming increasingly common, Big Brother Watch is renewing its call made in the 2011 report; for the NHS to make patient privacy a core principle in its work.

As well as considering the number of data breaches within the NHS, this report reflects on the legislation that is in place to address them, highlighting that the **Data Protection Act 1998 (DPA)** has a number of flaws that must be corrected. In its current format the Act does nothing to discourage those who are seriously considering breaking data protection legislation and makes it harder to effectively punish individuals and organisations that knowingly flout the rules by accessing and in some cases selling personal information to third parties.

Those Trusts who have disclosed the full extent of their data protection breaches should be applauded; there remains a great deal of inconsistency with reporting, including the refusal to disclose details. It is questionable at best for Trusts to use the DPA to withhold details of data breaches when NHS employees involved have failed to show respect for the privacy of patients or the law. It is essential that the NHS is as transparent as possible; failing or refusing to disclose incidents of data breaches is simply unacceptable.

Whilst the healthcare benefits of schemes, such as care.data, seem apparent the privacy concerns that are engendered by it are very concerning. The NHS and those in charge of data sharing within it must show that they take the privacy of patients seriously before they can even begin to contemplate introducing a new scheme that would see medical records shared on an even wider scale than ever before.

Policy Recommendations

a) A custodial sentence should be an available punishment for serious data breaches

The current level of sanctions for serious data breaches does not deter individuals who are intent on breaking the law. Judges who are presented with serious data breaches should be able to hand out custodial punishments to the perpetrators.

The mechanisms already exist to make breaching Section 55 of the Data Protection Act punishable with a prison sentence. This is a simple measure that would go a long way to show that the Government is serious about safeguarding the privacy of individuals.

This is also a measure which is backed by the Information Commissioner's Office, the Justice Select Committee, the Home Affairs Select Committee, the Joint Committee on the Draft Communications Data Bill and Lord Leveson,

b) Serious data breaches should result in a criminal record.

It is unacceptable that at present, individuals who carry out serious data breaches cannot receive a criminal record. This failure could result in the same offence re-occurring at a different organisation after an individual has resigned or been dismissed having been caught.

c) Data protection training within the NHS should be improved.

Knowingly breaching the Data Protection Act is only part of the issue. There is also a concern regarding those who unwittingly cause breaches due to poor training and management. The only way to avoid this is to ensure that anyone who works with personal information is aware of their responsibilities and the proper procedures for the handling of such information.

Data Protection and the NHS

Examples of data breaches in the NHS

This is a list of recent high profile data breaches. These examples are not findings from this report.

- a) In June 2014 the **South Central Ambulance Service** accidentally published the equality and diversity information of all 2,826 members of staff.⁶ This information included employees' names, roles, ethnicity and sexual orientation.⁷ The seriousness of the situation was intensified by the fact that the Information Commissioner's Office (ICO) had to inform the Trust that the breach had occurred.
- b) In 2012 **NHS Surrey** a computer previously owned by the Trust was bought at auction by a member of the public who later found that it stored the personal information of more than 3,000 patients.⁸ The Trust had failed to properly destroy the information before they sold the system on to a third party. The ICO fined NHS Surrey £200,000 over the incident.
- c) A **GP surgery manager** illegally accessed the medical records of more than 1,940 patients. Many of the records related to women in their 20s and 30s. His punishment was a £1,345 fine, which included a £99 victim surcharge and £250 in prosecution costs.⁹
- d) A **probation officer** was fined £150 for handing the personal information of a **domestic abuse victim** to her alleged abuser. The details included the victim's full name, address and data of birth as well as information relating the investigating officer.¹⁰ This ruling led the Information Commissioner, Christopher Graham to issue a statement criticising the current level of sanctions that are available. He argued that the incident was indicative of the wider landscape and showed the *"unpleasant but unremarkable face of data protection crime - not*

⁶ BBC News, *South Central Ambulance Service staff data breach*, 2nd June 2014:

<http://www.bbc.co.uk/news/uk-england-27659784>

⁷ Oxford Mail, *Trust launches investigation following staff data web leak*, 3rd June:

http://www.oxfordmail.co.uk/news/11251510.Trust_launches_investigation_following_staff_data_web_leak/

⁸ Information Commissioner's Office, *ICO fines NHS Surrey for failing to check the destruction of old computers*, 12th July 2013: http://ico.org.uk/news/latest_news/2013/ico-issues-nhs-surrey-monetary-penalty-of-200000

⁹ Information Commissioner's Office, *GP surgery manager prosecuted for illegally accessing patients' medical records*, 3rd December 2013: http://ico.org.uk/news/latest_news/2013/gp-surgery-manager-prosecuted-for-illegally-accessing-patients-medical-records-02122013

¹⁰ The Register, *Probation officer gets TINY fine for spilling domestic violence victim's ADDRESS*, 19th August 2013: http://www.theregister.co.uk/2013/08/19/probation_officer_data_abuse_fine/

journalists, not lawyers, just individuals for whom the current sentencing regime holds no terror.” He went on to argue that the Government should act swiftly to introduce tougher penalties.¹¹

Penalties for breaching the Data Protection Act 1998

The Data Protection Act 1998 (DPA) states that any information that is collected should be for “*legitimate purposes*” and when it is used it should not adversely affect the individuals in question.

There are some key failings of the legislation, which undermine its effectiveness. Chief amongst them is **Section 55 of the DPA**, which covers the unlawful obtaining and disclosure of personal information. Sub-section 55A (4) of the Act states that the ICO has the power to impose a fine on those who break the DPA. There is no option for a court to impose a custodial sentence on an individual.

Big Brother Watch has repeatedly called for custodial sentences to be introduced to make the enforcement regime carry more weight. This action has also been called for by the Information Commissioner’s Office (ICO),¹² the Justice Select Committee,¹³ the Home Affairs Select Committee,¹⁴ the Joint Committee on the Draft Communications Data Bill¹⁵ and Lord Leveson.¹⁶

Whilst fines may, at first, appear to be a sensible response, they quickly lose their impact on closer inspection. For example, the fine of £200,000 to **NHS Surrey** for endangering the privacy of its patients, many of whom were children can be compared to the fine of £300,000 handed to **Tesco** by Birmingham Trading Standards for “*false and misleading*” strawberry advertising in 2013.^{17, 18}

¹¹ The Information Commissioner’s Office, *Probation officer prosecuted for leaking victim’s details to alleged culprit*, 15th August 2013: http://ico.org.uk/news/latest_news/2013/probation-officer-prosecuted-for-leaking-victims-details-to-alleged-culprit-15082013

¹² Justice Committee, *The functions, powers and resources of the Information Commissioner*, Page 13, Paragraph 33: <http://www.publications.parliament.uk/pa/cm201213/cmselect/cmjust/962/962.pdf>

¹³ BBC News, *MPs call for tougher personal data abuse laws*: <http://www.bbc.co.uk/news/uk-politics-15465349>

¹⁴ Home Affairs Select Committee, *Report on Private Investigators*, p. 14: <http://www.publications.parliament.uk/pa/cm201213/cmselect/cmhaff/100/100.pdf>

¹⁵ Joint Committee on the Draft Communications Data Bill, *Final Report*, Section 5, Paragraph 226: <http://www.publications.parliament.uk/pa/jt201213/jtselect/jtdraftcomuni/79/7908.htm#a31>

¹⁶ Rt. Hon. Lord Justice Leveson, *An Inquiry into the Culture, Practises and Ethics of the Press*, Vol. III, Part H, Chapter 5, Paragraph 2.93

¹⁷ BBC News, *Tesco fined over ‘half-price’ strawberries claim*, 19th August 2013: <http://www.bbc.co.uk/news/uk-england-birmingham-23755528>

The mechanisms for implementing this change already exist. Under **Section 77 of the Crime and Immigration Act 2008** Ministers can amend the DPA to give the courts the option of handing down custodial sentences of up to 2 years for the most serious offences.

Until action is taken to provide harsher sentences for perpetrators of serious data breaches, the deterrents available will continue to be seen as “a joke” as Barbara Keeley MP put it during an evidence session of the Health Select Committee.¹⁹

A further failing of the DPA is that as data protection breaches are classed as civil offences anyone who knowingly commits a breach will not receive a criminal record. This raises the potential for an individual to gain employment that allows them to access personal information despite the fact they have been punished for committing a data protection offence.

Until the gaps in the system are addressed breaches will continue to appear with alarming regularity. The DPA doesn't represent a workable deterrent to those who are intent on illegally obtaining and disclosing personal information.

¹⁸ Information Commissioner's Office, *Monetary Penalty Notice*, 19th June 2013: http://ico.org.uk/news/latest_news/2013/~media/documents/library/Data_Protection/Notices/nhs-surrey-monetary-penalty-notice.pdf

¹⁹ Health Select Committee, *Oral Evidence: Care.data database*, HC 1105, 25th February 2014, p. 39: <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/health-committee/handling-of-nhs-patient-data/oral/6788.pdf>

Table 2: Regional Breakdown – London

All figures are for the years 2011 to 2014 unless otherwise indicated. All figures relating to Clinical Commissioning Groups (CCGs) are for 2013-2014.

Organisation	Number of Data	Number of Occurrences	Medical/Non-Medical	Outline of DPA breach	Action taken	Resignation	Conviction
Clinical Commissioning Groups							
NHS Barking & Dagenham CCG	1	1	Non-Medical	Person Identifiable Information shared with and unauthorised third party	No Action	No	No
NHS Barnet CCG				No DPA Breaches			
NHS Bexley CCG				No DPA Breaches			
NHS Brent CCG				No DPA Breaches			
NHS Bromley CCG				No DPA Breaches			
NHS Camden CCG				No DPA Breaches			
NHS Central London (Westminster) CCG				Information not broken down ²⁰			
NHS City and Hackney CCG				No DPA Breaches			
NHS Croydon CCG				No DPA Breaches			
NHS Ealing CCG				Information not broken down - see Central London CCG			

²⁰ Central London CCG, West London CCG, Hammersmith & Fulham CCG, Hounslow CCG and Ealing CCG had 7 information governance incidents between them, but did not break down where they occurred.

NHS Enfield CCG	1	1	Medical	Some staff set up with access to a network folder containing personal information	Review of systems and processes. Access controls were reconfigured	No	No
NHS Greenwich CCG				No DPA Breaches			
NHS Hammersmith and Fulham CCG				Information not broken down - see Central London CCG			
NHS Haringey CCG	2	1	Medical	Printouts containing personal confidential information were found on an unattended printer at the end of the working day	Staff were reminded about the etiquette on printing confidential information. Secure printing using access codes is now in place.	No	No
		1	Medical	Two sheets of personal confidential information were placed in the internal recycling box	This was immediately picked up by a senior manager and it was agreed that this	No	No

					material no longer needs to be printed as its available electronically. The two sheets of paper were taken out of the internal recycling box and disposed of appropriately. All recycling boxes were removed to ensure compliance with the CCGs Clear Workspace Protocols		
NHS Harrow CCG					No DPA Breaches		
NHS Havering CCG	1	1	Non-Medical	Unapproved storage of personal confidential data	Investigation ongoing	N/A	N/A
NHS Hillingdon CCG					No DPA Breaches		
NHS Hounslow					Information not broken down - see Central London CCG		

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CCG							
NHS Islington CCG	2	1	Medical	A practice that is part of another CCG sent patient records to Islington in error.	Reported as a serious incident and flagged with the practice and the CCG.	No	No
		1	Non-Medical	Invoices from 2006/07 containing personal information were discovered improperly stored and passed to the CCG to deal with.	Reported as a serious incident	No	No
NHS Kingston CCG				No DPA Breaches			
NHS Lambeth CCG				No DPA Breaches			
NHS Lewisham CCG				No DPA Breaches			
NHS Merton CCG				No DPA Breaches			

**NHS Newham
CCG**

1

1

Medical

An email was accidentally sent internally using the secure NHS mail system to a member of the IT Department who had the same surname of the intended email recipient.

The email was immediately deleted by the recipient upon receipt and the sender of the email was informed.

The individual sending the email and their line manager undertook additional IG training as a learning point following the incident.

New procedures were implemented as a result to mitigate against future recurrence.

No

No

NHS Redbridge CCG	2	2	Non-Medical	Inappropriately Person Identifiable Information shared with an unauthorised third party	No Action	No	No
NHS Richmond CCG				No DPA Breaches			
NHS Southwark CCG				No DPA Breaches			
NHS Sutton CCG				No DPA Breaches			
NHS Tower Hamlets CCG				No DPA Breaches			
NHS Waltham Forest CCG	1	1	Medical	Some staff set up with access to a network folder containing personal information	Review of systems and processes. Access controls were reconfigured	No	No
NHS Wandsworth CCG				No DPA Breaches			
NHS West London (Kensington and Chelsea, Queen's Park and Paddington) CCG				Information not broken down - see Central London CCG			
Acute Trusts							
Barking, Havering and Redbridge University				Information not Provided			

Hospitals NHS Trust								
Barnet and Chase Farm Hospitals NHS Trust		See Royal Free's Response						
Barts Health NHS Trust	19	19	Information not provided	Breach of Confidentiality	Disciplined internally	No	No	
Bromley Hospitals NHS Trust		Did not respond to FOI						
Chelsea and Westminster Hospitals NHS Foundation Trust	2	1	Non-Medical	Accessed third party personal information	Suspended then resigned before a hearing took place	Yes	No	
		1	Non-Medical	Accessed third party personal information	Suspended and then dismissed	No	No	
Ealing Hospital NHS Trust		Refused - Cost and Time						
Great Ormond Street Hospital For Children NHS Trust	3	2	Non-Medical	Breach of confidentiality	Disciplined Internally	No	No	
		1	Information not provided	Information not provided	No action taken	No	No	
Guy's and St Thomas' NHS Foundation Trust ²¹	175	175	Information not Provided		No disciplinary action	No	No	

²¹ The number of non-medical personnel that have been "*disciplined internally*" but not prosecuted was withheld under Section 40(2) of the Freedom of Information Act - It was under 5 cases and therefore could be identifiable.

Homerton University Hospital NHS Foundation Trust	1	1	Medical	Inappropriate access to case notes	Warning letter no formal disciplinary action	No	No
King's College Hospital NHS Foundation Trust²²	2	2	Information not provided	Information not provided	No Action	No	No
Kingston Hospital Trust	Refused: Information exempt under Section 40 (2) - Numbers of staff are so low that they are potentially identifiable						
Croydon Health Services NHS Trust	4	3	Non-Medical	Accessed personal information	Informal	No	No
		1	Non-Medical	Accessed personal information	Verbal Warning	No	No
Moorfields Eye Hospital NHS Foundation Trust	2	1	Medical	Left briefcase in car that was stolen. Briefcase later recovered intact.	Informal caution	No	No
		1	Non-Medical	Left trolley of notes unattended	Written warning	No	No
Newham University Hospital NHS Trust	Merged with Barts Health						
North Middlesex University Hospital Trust	60	2	Information not provided	Information not provided	Disciplined internally	No	No
		58	Information not provided	Trust Information Governance Policies Procedure breached	No Action	No	No

²² Number of resignations withheld under S. 12 of the Freedom of Information Act - Information not held in a format that enables easy disclosure.

North West London Hospitals NHS Trust		No response					
Queen Elizabeth Hospital NHS Trust		Merged with the Lewisham Hospital					
Royal Brompton and Harefield NHS Trust		No DPA Breaches					
Royal Free Hampstead NHS Trust	9	1	Information not provided	Data stored on an unencrypted memory stick	Employment Terminated	No	No
		3	Information not provided	Mislaid handover sheet	No further action	No	No
		2	Information not provided	GP letter containing wrong patient details	No further action	No	No
		1	Information not provided	Wrong patient on clinic list	No further action	No	No
		1	Information not provided - 1 case			No	No
		1	Information not provided - 1 case			No	No
Royal National Orthopaedic Hospital NHS Trust		No DPA Breaches					
St George's Healthcare NHS Trust	4	1	Non-Medical	Inappropriately shared information with a third party	Employment Terminated	No	No
		3	Non-Medical	Inappropriately shared information with a third party	Disciplined Internally	No	No

The Hillingdon Hospital NHS Trust				No DPA Breaches			
The Lewisham Hospital NHS Trust				Did not respond to FOI			
The Royal Marsden NHS Foundation Trust²³	1	1	Information not provided	Address not redacted from documentation in error	No Action	No	No
The Whittington Hospital NHS Trust	10	5	Medical	Loss or theft of confidential data	Internal investigation; declared to DoH & ICO; no further action	No	No
		2	Medical	Loss or theft of confidential data	Internal investigation; declared to STEIS; no further action		
		2	Non-Medical	Inappropriate disclosure of confidential data	Internal investigation; declared to DoH & ICO; no further action		
		1	Medical	Inappropriate disclosure of confidential data	Internal investigation; declared to DoH & ICO; no further action	No	No

²³ Question 4 was removed because the information wasn't held in an easily retrievable format and would have exceeded cost and time limits.

University College London Hospitals NHS Foundation Trust	3	1	Non-Medical	Staff information left on a train	Final Warning	No	No
		1	Non-Medical	Accessed personal information	Final Warning	No	No
		1	Non-Medical	Accessed personal information	Dismissed	No	No
West Middlesex University Hospital NHS Trust	8	1	Non-Medical	Unauthorised access to patient records	Letter issued advising would have been dismissed if hadn't resigned	Yes	No
		1	Medical	Accessed electronic system using someone else's account. Used incorrect patient details when requesting scan.	Referred to NCAS and investigated - No case to answer	No	No
		1	Non-Medical	Falsifying Trust training certificate	Action short of dismissal. Final written warning issued for 12 months	No	No
		1	Non-Medical	Changed a patient's details on the system when booking in a patient - didn't follow correct process	First written warning issued - 12 months	No	No

		1	Non-Medical	Information regarding member of staff left on computer screen	Investigated - letter sent to individual re IG	No	No
		1	Non-Medical	sharing smart card	Letter issued to member of staff - informal warning	No	No
		1	Non-Medical	Allegation of breach of confidentiality of colleague	Investigated - Letter sent to individual outlining expectations - informal warning	No	No
		1	Non-Medical	Allegation of accessing patient details inappropriately	Investigated – No case to answer	No	No
Whipps Cross University Hospital NHS Trust		Merged with Barts Health					
Mental Health							
Barnet, Enfield and Haringey Mental Health NHS Trust	2	1	Non-Medical	Unauthorised access of patient notes	Issued with first written warning	No	No
		1	Non-Medical	Patient Identifiable information sent by open email	Issued with first written warning	No	No

Camden and Islington Mental Health and Social Care Trust	3	1	Non-Medical	Accessed student nurse details on Rio using own Rio card.	Dismissed	No	No
		1	Non-Medical	Left smartcard in computer unattended and logged in	Informal disciplinary	No	No
		1	Non-Medical	Removed confidential patient information from the ward	Final written warning	No	No
Central and North West London NHS Foundation Trust (Mental Health)	7	1	Non-Medical	Inappropriate sharing of information	Resigned during disciplinary procedures	Yes	No
		5	Information not provided	Inappropriate sharing of information	No Action	No	No
		1	Information not provided	Unproven	No Action	No	No
East London NHS Foundation Trust (Mental Health)	178	2	Non-Medical	Information not provided	Employment Terminated	No	No
		4	Non-Medical	Information not provided	Disciplined internally	No	No
		2	Non-Medical	Information not provided	Resigned during disciplinary procedures	Yes	No
		29	Information not provided	Encrypted mobile device misplaced or stolen	No Disciplinary Action	No	No
		35	Information not	Missing	No Disciplinary	No	No

		provided	Documents/Records	Action			
	43	Information not provided	Documents misfiled/misplaced	No Disciplinary Action	No	No	
	63	Information not provided	Emails/Letters/Information incorrectly or inappropriately sent	No Disciplinary Action	No	No	
North East London NHS Foundation Trust (Mental Health)							
No DPA Breaches							
Oxleas NHS Foundation Trust (Mental Health)	8	1	Non-Medical	Breach of confidentiality	Employment Terminated	No	No
		1	Non-Medical	Inappropriate access	Employment Terminated	No	No
		5	Non-Medical	Breach of confidentiality	Disciplined internally	No	No
		1	Non-Medical	Inappropriate access	Disciplined internally	No	No
South London and Maudsley NHS Foundation Trust (Mental Health)	9	1	Non-Medical	Inappropriate access to a health record on electronic patient records system	Disciplinary action	No	No
		1	Non-Medical	Inappropriate access to a health record on electronic patient records system	Disciplinary and warning. Mandated to re-take Data Protection training. Informed	No	No

					service user. Assigned a protective pseudonym to the health record.		
		1	Non-Medical	Confidential letters sent to the wrong patient	Disciplinary. Final written warning	No	No
		1	Medical	Made statement in relation to the service on internet blog	Disciplinary. Verbal warning. Mandated to re-take Data Protection training	No	No
		1	Medical	Sharing secure personal log in credentials with student to enable student to access electronic records system	Final written warning. Mandated to retake Data Protection training	No	No
		4	Information not provided	Level 2 incidents that required reporting to the ICO	No Action	No	No
South West London and St	5	1	Non-Medical	Inappropriately shared patient info	First written warning	No	No

George's Mental Health NHS Trust		1	Non-Medical	with 3rd party Inappropriately accessed patient records	Final written warning	No	No
				Inappropriately accessed patient records	No disciplinary action - revised procedures	No	No
				Inappropriately accessed patient records	No disciplinary action - revised procedures	No	No
Tavistock and Portman NHS Foundation Trust (Mental Health)	3	3	Information not provided		No action	No	No
West London Mental Health NHS Trust (Mental Health)	1	1	Non-Medical	Accessed a close relative's medical record	Disciplinary action	No	No
Ambulance							
London Ambulance Service NHS Trust	Questions 1-3: No returns, Question 4: Information not held, Questions 5: Information not recorded in this way (See note)						
Total	530	530				5	0

Table 3: Regional Breakdown – South of England

All figures are for the years 2011 to 2014 unless otherwise indicated. All figures relating to Clinical Commissioning Groups (CCGs) are for 2013-2014.

Organisation	Number of Data Breaches	Number of Occurrences	Medical/ Non-Medical	Outline of DPA breach	Action taken	Resignation	Conviction
Clinical Commissioning Groups							
NHS Ashford CCG				No DPA Breaches			
NHS Aylesbury Vale CCG				No DPA Breaches			
NHS Bath and North East Somerset CCG	1	1	Non-Medical	Item left in public place	immediately retrieved and secured	No	No
NHS Bracknell and Ascot CCG				Did not respond to FOI			
NHS Brighton & Hove CCG				No DPA Breaches			
NHS Bristol CCG				No DPA Breaches			
NHS North Hampshire CCG				No DPA Breaches			
NHS Canterbury and Coastal CCG				No DPA Breaches			
NHS Chiltern CCG				No DPA Breaches			
NHS Coastal West Sussex CCG				No DPA Breaches			
NHS Crawley CCG				No DPA Breaches			
NHS Dartford, Gravesham and				No DPA Breaches			

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Swanley CCG							
NHS Dorset CCG				No DPA Breaches			
NHS East Surrey CCG				No DPA Breaches			
NHS Eastbourne, Hailsham and Seaford CCG	1	1	Information not provided		No further action	No	No
NHS Fareham and Gosport CCG				No DPA Breaches			
NHS Gloucestershire CCG				No DPA Breaches			
NHS Guildford and Waverley CCG	13	13	13 incidents, none of which were deemed severe enough to report to the ICO or Department of Health. See note for brief description, full details will be available in June 2014 as part of the CCG's Annual Report & Accounts Document.				
NHS Hastings & Rother CCG	1	1	Information not provided		No further action	No	No
NHS High Weald, Lewes and Havens CCG	1	1	Non-Medical	A member of the medicines management team left some information containing Patient Identifiable Data for a short time on the CCG photocopier.	Handled under internal incident management procedures, which required a conversation with the team member to remind them of their Information Governance	No	No

					responsibilities. It did not require reporting to the Information Commissioner.		
NHS Horsham and Mid Sussex CCG					No DPA Breaches		
NHS Isle of Wight CCG					No DPA Breaches		
NHS Kernow CCG					No DPA Breaches		
NHS Medway CCG	2	1	Non-Medical	Information sharing error - Personal Confidential Data (PCD) incorrectly shared	No actions taken against the staff member - human error	No	No
		1	Non-Medical	Information sharing error - PCD incorrectly shared	No actions taken against the staff member - human error	No	No
NHS Newbury and District CCG					No DPA Breaches		
NHS North & West Reading CCG					No DPA Breaches		
NHS North East Hampshire and Farnham CCG	1	1	Non-Medical	Patient information emailed to CCG colleagues via nhs.uk instead of	Staff members reminded of safe haven policy	No	No

	nhs.net email account.	regarding secure transfer via email and completed Information Governance Training. From 12th June 2014 North East Hampshire and Farnham CCG are migrating staff "nhs.net" email accounts to "NHS.net" email accounts to prevent breaches of this nature in the future.
NHS North Somerset CCG	No Response to FOI	
NHS North West Surrey CCG	No DPA Breaches	
NHS Northern, Eastern, Western Devon CCG	No DPA Breaches	
NHS Oxfordshire CCG	No DPA Breaches	
NHS Portsmouth CCG	No DPA Breaches	

NHS Slough CCG					No DPA Breaches			
NHS Somerset CCG					No DPA Breaches			
NHS South Devon and Torbay CCG					No DPA Breaches			
NHS South Eastern Hampshire CCG					No DPA Breaches			
NHS South Gloucestershire CCG					No DPA Breaches			
NHS South Kent Coast CCG					No DPA Breaches			
NHS South Reading CCG					No DPA Breaches			
NHS Southampton CCG					No DPA Breaches			
NHS Surrey Downs CCG					No DPA Breaches			
NHS Surrey Heath CCG					Did not respond to FOI			
NHS Swale CCG					No DPA Breaches			
NHS Swindon CCG					No DPA Breaches			
NHS Thanet CCG					No DPA Breaches			
NHS West Hampshire CCG					No DPA Breaches			
NHS West Kent CCG					No DPA Breaches			
NHS Wiltshire CCG	1	1	Nil		There has been one breach of confidentiality where documents were placed in a	The information was retrieved whilst still within the building	No	No

				rubbish bin rather than correctly into the confidential waste disposal bin.	and the relevant staff were reminded of the correct procedure. No disciplinary action was taken.		
NHS Windsor, Ascot and Maidenhead CCG				Did not respond to FOI			
NHS Wokingham CCG				No DPA Breaches			
Acute Trusts							
Ashford and St Peter's Hospitals NHS Trust				Did not respond to FOI			
Basingstoke and North Hampshire NHS Foundation Trust				See Hampshire Hospitals NHS Foundation Trust Response			
Brighton and Sussex University Hospitals NHS Trust	15	15		15 'minor' incidents that did not lead to any disciplinary action. In all cases, the staff involved were given training about their responsibilities under the DPA, helping to ensure that such a breach would not occur again.			
Buckinghamshire Healthcare NHS Trust	142	142		142 reported incidents, some of which could have been 'near misses'. There have been no convictions or resignations. Termination of employment and internal disciplinary procedures were exempted under Section 40(2).			
Dartford and Gravesham NHS Trust				Did not respond to FOI			
Dorset County Hospital NHS Foundation Trust	6	3	Non-Medical	Passed information to third party	Disciplinary hearing held	No	No

East Kent Hospitals University NHS Trust	13	1	Non-Medical	Accessed personal information	Disciplinary hearing held	Yes	No
		1	Non-Medical	Accessed personal information	Disciplinary hearing held	No	No
		1	Non-Medical	Passed information to third party	Disciplinary hearing held	Yes	No
		1	Non-Medical	Accessing patient records for personal use	Final written warning	No	No
		1	Non-Medical	Breach of confidentiality	Downgrading and final written warning	No	No
		1	Non-Medical	Inappropriate accessing of patient notes	Written warning	No	No
		7	Non-Medical	Inappropriate accessing of patient PAS records	Written warning	No	No
		1	Non-Medical	Inappropriate storage of patient documentation	Written warning	No	No
		1	Non-Medical	Breach of confidentiality	Dismissal	No	No
		1	Non-Medical	Inappropriate storage of patient documentation	Dismissal	No	No
East Sussex Hospitals NHS Trust	3	2	Non-Medical	Accessed Personal Information	Disciplinary - Dismissed	No	No

	1	Medical	Passed Information to Third Party	Disciplinary - Final Written Warning	No	No
Epsom and St Helier University Hospitals NHS Trust	There have been no cases that have resulted in no action or a conviction. The remainder of the information was withheld under Section 40(2)					
Frimley Park Hospital NHS Foundation Trust	1	Information not provided	Information not provided	Employment terminated	No	No
	3	Information not provided	Information not provided	Disciplined internally	No	No
	6	Information not provided	Loss of inadequately protected electronic equipment, devices or paper documents from secured NHS premises	No disciplinary action	No	No
	2	Information not provided	Loss of inadequately protected electronic equipment, devices or paper documents from outside secured	No disciplinary action	No	No

NHS premises						
		1	Information not provided	Insecure disposal of inadequately protected electronic equipment, devices or paper documents.	No disciplinary action	No
		76	Information not provided	Unauthorised disclosure	No disciplinary action	No
		12	Information not provided	Other	No disciplinary action	No
Gloucestershire Hospitals NHS Foundation Trust	33	29	Non-Medical	Information not provided	Disciplined internally	No
		1	Medical	Information not provided	Disciplined internally	No
		1	Non-Medical	Information not provided	Resigned	No
		2	Non-Medical	Information not provided	No disciplinary action	No
Great Western Hospitals NHS Foundation Trust	30	5	Non-medical	Inappropriate access to medical records	Dismissed	No

1	Non-medical	Inappropriate sharing of patient information with a third party	Dismissed	No	No
2	Medical	Accessing a relatives record for their own personal interest	Disciplined	No	No
3	Non-medical	Accessing personal information for personal interest	Disciplined	No	No
2	Non-medical	Breach of confidentiality	Disciplined	No	No
1	Non-medical	Inappropriate access to a colleagues medical records	Disciplined	No	No
7	Non-medical	Inappropriate access to medical records	Disciplined	No	No
4	Non-medical	Inappropriately shared confidential information with a third party	Disciplined	No	No
1	Non-medical	Accessed personal information for personal interest	No action taken	No	No
1	Non-medical	Breach of confidentiality	No action taken	No	No

Hampshire Hospitals NHS Foundation Trust	5	2	Non-medical	Inappropriate access to medical records	No action taken	No	No
		1	Non-medical	Inappropriately shared patient information with a third party	No action taken	No	No
		1	Medical	Patient gave us wrong address which was also confirmed by a relative. Summary letter sent to this incorrect address.	Letter was retrieved. Escalated internally and reported to the ICO.	N/A	N/A
		1	Medical	Paper handover sheets were dropped by a member of staff outside the Trust.	Sheets were retrieved. Escalated internally and reported to the ICO. Staff member was compliant with their training but were re-trained.	No	No

1	Non-medical	A third party's data was misfiled in a deceased patient's notes. These were sent in response to a subject access request.	Escalated internally and reported to the ICO. Medical Records team reviewed process for copying records.	No	No
1	Medical	Complaint received that member of staff had accessed their data.	Audit conducted. Results showed that staff member had accessed data however this was with consent. The member of staff (and one other who had shared their PC) was spoken to at an investigation. No further action was	No	No

						taken as staff had not breached our policy. ICO confirmed this was appropriate action.		
		1	Non-medical	Contractor sent email containing personal details to a hospital account which was not secure.	Full investigation conducted. Reported to the ICO. Received an apology from the contractor after admitting their mistake.	N/A	N/A	
Heatherwood and Wexham Park Hospitals NHS Foundation Trust	2	1	Non-Medical	Looked up family members information on SCR (Patient Data Base)	Dismissed	No	No	
		1	Non-Medical	Passing on patient information via e-mail by mistake	Informal action	No	No	
Luton and Dunstable Hospital NHS Foundation Trust	4	3	Non-Medical	Inappropriate/accidental sharing of information	Yes. Final Written Warning	No	No	

Maidstone and Tunbridge Wells NHS Trust	8	1	Non-Medical	Inappropriate/accidental sharing of information	Yes. Written Warning	No	No
		1	Non-Medical	Accessed personal Information without justified need	Investigation completed. The breach contributed to a decision of Dismissal	No	No
		1	Non-Medical	Unauthorised disclosure to a third party in error	Investigation completed. Final Written Warning and Disciplinary Transfer	No	No
		2	Non-Medical	Unauthorised disclosure to a third party in error	Investigation completed. Informal Warning	No	No
		1	Non-Medical	Removed person identifiable information from Trust Premises	Investigation completed. Resignation	Yes	No
		1	Non-Medical	Unauthorised disclosure to a third party in error	Investigation completed. Resignation	Yes	No
		1	Non-Medical	Accessed personal Information without justified need	Investigation completed. No disciplinary	No	No

				action taken.			
Kent and Medway NHS Foundation Trust	10	1	Non-Medical	Removed person identifiable information from Trust Premises	Investigation completed. 1st Written Warning	No	No
		1	Clinical	Patient information fly-tipped by member of the public	Joint incident with neighbouring NHS Trust - Reported to Information Commissioner and Local Council. Investigated Criminal Element.	No	No
		1	Clinical	Minutes from internal meeting were located within the grounds of Medway Maritime Hospital, with personal information of 19 patients and summarising their care.	Full training to all staff at site - communication to all ward managers regarding security of information.	No	No

1	Non-Clinical	Archiving records were transmitted in error to wrong courier and delivered to a private company address.	Joint incident with neighbouring NHS Trust - Enhanced courier collection arrangements. Increased awareness training for staff involved, Assurances provided from neighbouring NHS Trust	No	No
1	Clinical	During an Office Move a Consultant emptied the contents of their desk into two black bin bags. These bags were placed under their new desk in their new office unsealed and where contractors were working. On return	Disciplinary action recommended - Global correspondence to all staff regarding processes for moving offices and security of information	No	No

			to the office the following day, they had been moved into the middle of the floor so they were moved back under the desk. The next time they went into the office, the bags had disappeared.			
1	Clinical	A member of staff in attempting to ensure information was within their inbox sent an email containing a patient report to them. They accidentally sent the e-mail to their home address instead of their work address and then accidentally typed the address wrong. The e-mail and attachment arrived with a	Disciplinary action recommended - ICO investigation undertaken - outcome notified to the Trust on the 25th of February 2013. ICO found policies and procedures adequate and made one recommendation, reiterating	No	No	

		member of the public who was distressed by the content.	the need to monitor their on-going implementation.		
1	Clinical	A member of staff dropped patient notes following a home visit in a public area. The notes were found by a member of the public and returned to the Trust.	Staff member involved was provided with practical advice on holding information securely.	No	No
1	Clinical	A member of staff sent a fax intended for another internal Trust site with information relating to 3 patients. The member of staff hand dialled the number and the fax arrived at a private	Matter investigated by Caldicott Office. Found that staff member had not followed Trust Policy when sending patient	No	No

		company in error.	information by fax. Fax number of recipient was on safe haven register and safe haven procedures could have been followed but were not in this instance. Caldicott investigation closed and handed back to Line Manager to determine what, if any, further action should be taken in respect of the member of staff.		
1	Clinical	A member of staff sent a fax intended for a patient's GP	Matter investigated by Caldicott	No	No

with medication information contained therein. The member of staff searched the internet for the fax number and hand dialled the number with the fax arriving at the Veterinary Surgery next door to the GP in error.

Office. Found that staff member had not followed Trust Policy and used an internet search engine to find the fax number. Fax number of intended GP Surgery was on safe haven register and safe haven procedures could have been followed but were not in this instance. Caldicott investigation closed and handed back to Line Manager to determine what, if any

				further action should be taken in respect of the member of staff.		
1	Clinical	NHS England received a letter from an individual on the reverse of which was information about a KMPT patient.	KMPT has assessed its processes for information being passed to and retained by volunteers in light of events noted above and has identified and addressed areas relating to the transportation, retention and destruction of information to ensure continuous improvement and reduce	No	No	

				the likelihood of this occurring in the future. The member of staff responsible for this incident had retired from their position as a volunteer within the Trust so no action was taken against them.		
1	Clinical	Information handed to out of area Local Authority by member of the public claiming to be ex-partner of Locum Social Worker	KMPT continues its investigation into this incident but will ensure its information risks are monitored and assessed in light of the events noted above with a	No	No	

view to identifying and addressing any weaknesses. The member of staff responsible for this incident was employed by the Local Authority and they are undertaking their own investigation into this matter. Information Security Assurance forms sent to all service managers for completion and review of processes and contracts.

**Milton Keynes Hospital
NHS Foundation Trust**

None for Q 1, Q2 and Q 4. Q 3 and Q 5 were refused under cost and time.

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North Bristol NHS Trust	15	8	Non-Medical	Disclosed in Error	Caution - under HR Disciplinary procedures	No	No
		2	Non-Medical	Lost or stolen hardware	Caution - under HR Disciplinary procedures	No	No
		1	Non-Medical	Uploaded to website in error (intranet)	Caution - under HR Disciplinary procedures	No	No
		2	Non-Medical	Other	Caution - under HR Disciplinary procedures	No	No
		1	Non-Medical	Lost or stolen paperwork	Caution - under HR Disciplinary procedures	No	No
		1	Information not provided	Lost or stolen paperwork - Nursing handover sheets, potentially affecting 49 data subjects	Individuals notified by phone call on day of incident and subsequently followed up in writing. Incident reported to the ICO via the Incident reporting mechanism and is still under investigation and HR Disciplinary processes.		
Northern Devon Healthcare NHS Trust	276	1	Non-Medical	Inappropriately sharing patient information with a	Disciplined internally	No	No

			third party	Breach of patient confidentiality	No disciplinary action	No	No
		Information not provided		Breach of staff confidentiality	No disciplinary action	No	No
				Insecure disposal of papers containing person identifiable data	No disciplinary action	No	No
				Misdirected email/fax- sent from the Trust	No disciplinary action	No	No
				Overheard discussing/reading aloud a patients case/file in public	No disciplinary action	No	No
				Staff inappropriately accessing information systems/records	No disciplinary action	No	No
Plymouth Hospitals NHS Trust	32	11	Medical	Information not provided	Disciplined internally	No	No
		14	Non-Medical	Information not provided	Disciplined internally	No	No
		7	Information not provided		No disciplinary action	No	No
Poole Hospital NHS Foundation Trust	10	1	Non-Medical	Information not provided	Employment Terminated	No	No

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Portsmouth Hospitals NHS Trust	8	8	Non-Medical	Information not provided	Disciplined Internally	No	No
		1	Non-Medical	Information not provided	Resigned	Yes	No
		1	Medical	Inappropriately discussing patient information with other patient	Disciplined Internally	No	No
		1	Medical	Inappropriately accessing patient notes		No	No
		1	Medical	Breach of patient information		No	No
		1	Clerical	Inappropriately accessing patient information on PAS system		No	No
		1	Clerical	Report containing personal & sensitive details sent to wrong recipient		No	No
		1	Clerical	Patient confidentiality breached by staff member to relative		No	No
		1	Clerical	Made inappropriate comment about patient to mutual		No	No

			friends outside of work				
	1	Clerical	Inappropriately accessing family members details on PAS system		No	No	
Queen Victoria Hospital NHS Foundation Trust			Did not respond to FOI				
Berkshire Healthcare NHS Foundation Trust	141	1	Information not provided	Information not provided	Disciplined internally	No	No
		4	Information not provided	Confidential information found in car park	No Action	No	No
		15	Information not provided	Record missing	No Action	No	No
		41	Information not provided	Letter sent to wrong address	No Action	No	No
		42	Information not provided	Confidential data shared with wrong person	No Action	No	No
		27	Information not provided	Person identifiable data lost	No Action	No	No
		9	Information not	PID sent to wrong partner	No Action	No	No

		provided	organisation			
		Information not provided	Demographic data sent to wrong patient	No Action	No	No
		Information not provided	Confidential information released into public domain	No Action	No	No
Royal Cornwall Hospitals NHS Trust		Did not respond to FOI				
Royal Devon and Exeter NHS Foundation Trust	15	1	Non-Clinical	Breach of confidentiality	Contract terminated	No
		1	Clinical	Breach of confidentiality	Contract terminated	No
		5	Non-Clinical	Breach of confidentiality	Formal Disciplinary Action	No
		7	Clinical	Breach of confidentiality	Formal Disciplinary Action	No
		1	Clinical	Breach of confidentiality	Informal Action Taken	No
Royal National Hospital For Rheumatic Diseases NHS Foundation Trust	2	1	Non-Medical	Inappropriately shared patient information with a relative in a non-secure environment	Disciplined	No
		1	Non-Medical	Accessed colleagues medical	Investigation initiated	Yes

information for that colleagues interest							
Royal Surrey County Hospital NHS Trust	1	1	Non-Medical	Caused patient confidentiality to be breached	Investigated under disciplinary policy. Presented at disciplinary hearing but no formal action taken as a result	No	No
Royal United Hospital Bath NHS Trust	Did not respond to FOI						
Royal West Sussex NHS Trust	Did not respond to FOI						
Salisbury NHS Foundation Trust	1	1	Non-Medical	Information not provided	Internally disciplined	No	No
South Devon Healthcare NHS Foundation Trust	24	1	Medical	Accessing own and patient records	Employment Terminated	No	No
		1	Non-Medical	Accidentally shared patient information with a third party	Disciplined Internally	No	No
		1	Medical	Accessing patient record	Disciplined Internally	No	No
		21	Unknown	Accidentally shared patient information with a	No Action	No	No

third party							
South Downs Health NHS Trust	Trust abolished 2013 - became Sussex Community NHS Trust						
University Hospital Southampton NHS Foundation Trust	2	2	Information not provided	No Action	No	No	
Southend University Hospital NHS Foundation Trust	10	1	Non-Medical	Accessed patient data inappropriately	Final Warning	No	No
		9	Non-Medical	Accessed patient data inappropriately	Written Warning	No	No
Surrey and Sussex Healthcare NHS Trust	10	3	Non-Medical	Breach of confidentiality	Warning	No	No
		3	Non-Medical	Inappropriate comments on Facebook	Warning	No	No
		1	Non-Medical	Inappropriate comments on Facebook	Case dismissed	No	No
		1	Non-Medical	Breach of confidentiality	Informal Action	No	No
		2	Non-Medical	Breach of confidentiality	In process	No	No
Sussex Community NHS Trust	164	1	Medical	Failure to keep information secure	Employment Terminated	No	No

	163 ²⁴	Unknown	Information governance related incident	Information not held		
Taunton and Somerset NHS Foundation Trust	2	Non-Medical	Information not provided	Employment Terminated	No	No
	68	Information not provided	Info given to unauthorised person/disclosed in error	No Action	Information not provided	
	1	Non-Medical	Information not provided	Single stage 2 written warning for second occasion	Information not provided	
	14	Information not provided	Confidential email or fax sent to the wrong person	No Action	Information not provided	
	1	Information not provided	Confidential information discussed in public area	No Action	Information not provided	
	2	Information not provided	Confidential information destroyed in error	No Action	Information not provided	
	104	Information not provided	Confidential information left in accessible area	No Action	Information not provided	

²⁴ Figure for 2013/2014.

75	Information not provided	Inappropriate access to information	No Action	Information not provided
7	Information not provided	Incorrect patient demographics	No Action	Information not provided
2	Information not provided	Incorrect patient selected	No Action	Information not provided
30	Information not provided	Letter sent to wrong address	No Action	Information not provided
18	Information not provided	Inappropriate access to area	N Action	Information not provided
15	Information not provided	Inappropriate use of smartcard or log on details	No Action	Information not provided
5	Information not provided	Theft of equipment	No Action	Information not provided
21	Information not provided	Confidential information transferred inappropriately	No Action	Information not provided
40	Information not provided	Letters sent to wrong GP/NHS Organisation	No Action	Information not provided
2	Information	Patient cause	No Action	Information not provided

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			not provided				
			Information not provided				
		4	Information not provided	Lost in transit	No Action	Information not provided	
		114	Information not provided	Risk of integrity of data/clinical risk due to IT system	No Action	Information not provided	
			Information not provided	Confidential information filed inappropriately	No Action	Information not provided	
		6	Information not provided				
		15	Information not provided				
			Information not provided				
			Information not provided				
			Information not provided				
The Royal Bournemouth and Christchurch Hospitals NHS Foundation Trust	165	1	Medical	Unauthorised removal of patient data from hospital	Written Warning	No	No
		2	Non-Medical	Unauthorised access of patient data	Disciplinary	No	No
		1	Medical	Information not provided	Information not provided	Yes ²⁵	No
		161	Information not provided	Actual or Potential Breach	No Disciplinary Action	No	No
University Hospitals Bristol NHS Foundation	16	1	Non-Medical	Taking confidential information home	Disciplinary sanction	No	No

²⁵ Individual resigned prior to disciplinary proceedings.

Trust	1	Non-Medical	Inappropriately shared confidential information	Suspended. Dismissed following disciplinary hearing	No	No
	1	Non-Medical	Taking confidential information home	Disciplinary investigation	Yes	No
	1	Non-Medical	Confidential information in personal diary	Disciplinary investigation. Letter of concern	No	No
	1	Non-Medical	Accessed patient information, for personal interest	Disciplinary investigation. No formal action	No	No
	1	Non-Medical	Accessed patient information for personal interest	Disciplinary investigation	Yes	No
	1	Non-Medical	Allowed a third party access to confidential information	Disciplinary sanction	No	No
	1	Non-Medical	Sending confidential information from an insecure PC	Disciplinary sanction	No	No
	1	Non-Medical	Allowed a member of the public unauthorised	Disciplinary sanction	No	No

			access to hospital areas		
1	Non-Medical	Inappropriately shared information (verbally) with members of the public	Disciplinary investigation. No formal action	No	No
1	Non-Medical	Accessed and amended personal information for personal reasons	Disciplinary investigation. No formal action	No	No
1	Non-Medical	Inappropriately accessed confidential information and shared with a third party (colleague)	Disciplinary investigation. No formal action	No	No
2	Non-Medical	Inappropriate disposal of confidential information	Disciplinary sanction	No	No
1	Non-Medical	Inappropriately accessed confidential information to third party (colleague)	Disciplinary investigation. No formal action	No	No
1	Non-Medical	Unauthorised access of confidential records	Ongoing investigation	No	No

for personal use							
West Suffolk NHS Foundation Trust	13	9	Information not provided	Misdirected post	No action	No	No
		2	Information not provided	Misfiling of patient information	No action	No	No
		1	Information not provided	Alleged inappropriate access to and disclosure of records	No action	No	No
		1	Information not provided	Incorrect patient details	No action	No	No
Weston Area Health NHS Trust				No DPA Breaches			
Winchester and Eastleigh Healthcare NHS Trust				Merged with Hampshire Hospitals NHS Foundation Trust - January 2012			
Yeovil District Hospital NHS Foundation Trust	14	5	Medical	Inappropriately sharing patient information with a third party	Member of staff concerned was made aware of their error and measures put in place to	No	No

2gether NHS Foundation Trust (Mental Health)	6	9	Non-Medical	Inappropriately sharing patient information with a third party	Member of staff concerned was made aware of their error and measures put in place to prevent a re-occurrence.	No	No
		Mental Health					
		2	Non-Medical	Accessed information for personal interest.	Dismissed	N/A	N/A
		1	Medical	Accessed information for personal interest.	Final Written Warning	N/A	N/A
		2	Non-Medical	Inappropriately shared patient information with a third party.	Verbal Warning	N/A	N/A
Avon and Wiltshire		1	Non-Medical	Inappropriately shared patient information with a third party.	No further action	N/A	N/A
		Questions 1-3: 0. Questions 4 -5: Refused: S.40 Data Protection Act - Personal Information					

Mental Health Partnership NHS Trust							
Bedfordshire and Luton Mental Health and Social Care NHS Trust		Part of the South Essex Partnership NHS Trust					
Berkshire Healthcare NHS Foundation Trust (Mental Health)		See Berkshire NHS Foundation Trust					
Cornwall Partnership NHS Trust (Mental Health)		There have been no convictions under the DPA. The remaining questions were exempt under S.40 of three FOI Act.					
Devon Partnership NHS Trust (Mental Health)	10	2	Non-Medical	Information sent to third party by mistake	Investigated - No formal action taken	No	No
		1	Non-Medical	Information discussed with family member of client	Investigated - given written warning	No	No
		1	Non-Medical	Information discussed with employee who is relative of a client	Investigated - Allegations substantiated - No formal action taken	No	No
		1	Non-Medical	Unauthorised access to records	Investigated - Given written warning	No	No
		1	Non-Medical	Theft of laptop left in car	Investigated - given written warning	No	No

		1	Non-Medical	Unauthorised access to records	Investigated - Dismissed	No	No
		1	Non-Medical	Unauthorised access to records	Investigated - Given written warning	No	No
		1	Non-Medical	Non-secure disposal of paperwork	Investigated - outcome not known (service transferred to another provider)	No	No
		1	Non-Medical	Unauthorised access to records	Investigation ongoing	No	No
Dorset Healthcare University NHS Foundation Trust (Mental Health)	1	1	Non-Medical	Employee attended to transmit patient identifiable data outside provisions of Trust policy (no harm intended and no breach occurred)	Written warning	No	No
Kent and Medway NHS and Social Care Partnership Trust (Mental Health)				Did not respond to FOI			
Somerset Partnership NHS Foundation Trust (Mental Health)	4	1	Non-Medical	Accessed unauthorised personal records	Current investigation	No	No

		via RiO					
		1	Non-Medical	Unauthorised access to RiO records	Final Written Warning	No	No
		1	Non-Medical	Inappropriately shared information with a third party	Investigation completed and no further action	No	No
		1	Non-Medical	Breached client confidentiality on more than one occasion	Dismissed	N/A	No
Southern Health NHS Foundation Trust	8	1	Non-Medical	Inappropriate access of client files	Dismissed	N/A	N/A
		5	Non-Medical	Inappropriate access of client files	Disciplinary	N/A	N/A
		1	Non-Medical	Patient notes removed from unit and left in public place	Disciplinary	N/A	N/A
		1	Non-Medical	Use of non-NHS and non-encrypted memory stick	None as individual retired	N/A	N/A
Surrey and Borders Partnership NHS Foundation Trust (Mental Health)	4	2	Non-Medical	Inappropriate Access	Final written warning	No	No
		1	Non-Medical	Inappropriate Access	Did not lead to disciplinary action	No	No

Sussex Partnership NHS Foundation Trust (Mental Health)	14	1	Non-Medical	Inappropriate Access	Resigned during investigation	Yes	No
		1	Medical	Accessed own records	Informal meeting Letter placed on file	No	Unable to state
		1	Non-Medical	Making comments on Facebook	Informal meeting, use of social media guidance given to team.	No	Unable to state
		1	Non-Medical	Breach of confidentiality, divulged medical condition of mos to another mos	Disciplinary hearing; Formal Warning	No	Unable to state
		1	Non-Medical	Allegation of sharing OH info re a colleague with team	No evidence	No	Unable to state
		1	Medical (bank)	Allegation of Breach of confidentiality of Facebook	Removed as a Bank Worker	No	Unable to state
		1	Medical	Husband believed his work colleague had revealed to others that his wife	Local Management Resolution	No	Unable to state

had been suspended					
1	Medical	Alleged to have accessed a member of staff's and a client's medical records.	Stage 2 Formal Warning	No	Unable to state
1	Medical	Alleged to have accessed a member of staff's and a client's medical records.	Final Written Warning	No	Unable to state
1	Medical	Alleged to have accessed ECPA record for partner's ex-wife to use in a court case against her. Breach of confidentiality.	Considered at Disciplinary hearing. Allegation not upheld.	No	Unable to state
1	Medical	Allegation that confidential patient information was given to patient relatives without permission.	Stage 2 Formal Warning	No	Unable to state
1	Non-Medical	Investigation for potential breach of confidentiality;	Dismissal	Information not provided	Unable to state

			accessing patient records.			
	3	Medical	Alleged to have accessed confidential staff files and disclosed their contents.	Investigation On going	Information not provided	Unable to state
Ambulance						
South Central Ambulance Service NHS Trust			No DPA Breaches			
South East Coast Ambulance Service NHS Trust			No DPA Breaches			
South Western Ambulance Service NHS Trust	2	1	Non-Medical Inappropriately shared patient information with another member of Trust staff.	Disciplinary	No	No
		1	Non-Medical Inappropriate disclosure of information relating to management decisions. Disclosure was internal to the Trust.	Disciplinary	Yes	No
Total	1,907	1,907			11	0

Table 4: Regional Breakdown – Midlands and East of England

All figures are for the years 2011 to 2014 unless otherwise indicated. All figures relating to Clinical Commissioning Groups (CCGs) are for 2013-2014.

Organisation	Number of Data Breaches	Number of Occurrences	Medical/Non-Medical	Outline of DPA breach	Action taken	Resignation	Conviction
Clinical Commissioning Groups							
NHS Basildon and Brentwood CCG				Did not respond to FOI			
NHS Bedfordshire CCG				No DPA Breaches			
NHS Birmingham CrossCity CCG				No DPA Breaches			
NHS Birmingham South and Central CCG				Did not respond to FOI			
NHS Cambridgeshire and Peterborough CCG				No DPA Breaches			
NHS Cannock Chase CCG				No DPA Breaches			
NHS Castle Point and Rochford CCG				No DPA Breaches			
NHS Corby CCG				No DPA Breaches			

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NHS Coventry and Rugby CCG				No DPA Breaches			
NHS Dudley CCG				No DPA Breaches			
NHS East and North Hertfordshire CCG	3	1	Non-Medical	Inadvertently shared data with no legitimate relationship	Emails recalled	No	No
		2	Non-Medical	Accidentally emailed data to wrong recipient	Email recalled	No	No
NHS East Leicestershire and Rutland CCG				No DPA Breaches			
NHS East Staffordshire CCG				No DPA Breaches			
NHS Erewash CCG				No DPA Breaches			
NHS Great Yarmouth & Waveney CCG				Did not respond to FOI			
NHS Hardwick CCG				No DPA Breaches			
NHS Herefordshire CCG	1	1	Information not provided	Inappropriately shared patient information	Attended a retraining program	No	No

	with a third party
NHS Herts Valleys CCG	No DPA Breaches
NHS Ipswich and East Suffolk CCG	No DPA Breaches
NHS Leicester City CCG	No DPA Breaches
NHS Lincolnshire East CCG	No DPA Breaches
NHS Lincolnshire West CCG	No DPA Breaches
NHS Luton CCG	No DPA Breaches
NHS Mansfield & Ashfield CCG	No DPA Breaches
NHS Mid Essex CCG	No DPA Breaches
NHS Milton Keynes CCG	No DPA Breaches
NHS Nene CCG	No DPA Breaches
NHS Newark & Sherwood CCG	No DPA Breaches
NHS North Derbyshire CCG	No DPA Breaches
NHS North East Birmingham CCG	Did not respond to FOI
NHS North East	No DPA Breaches

Essex CCG								
NHS North Norfolk CCG		Did not respond to FOI						
NHS North Staffordshire CCG		No DPA Breaches						
NHS Norwich CCG		No DPA Breaches						
NHS Nottingham City CCG		No DPA Breaches						
NHS Nottingham North & East CCG		No DPA Breaches						
NHS Nottingham West CCG		No DPA Breaches						
NHS Redditch and Bromsgrove CCG		No DPA Breaches						
NHS Rushcliffe CCG		No DPA Breaches						
NHS Sandwell and West Birmingham CCG		No DPA Breaches						
NHS Shropshire CCG	3	1	Medical	Fax accidentally sent to wrong number	Internal investigation. No disciplinary action necessary. Processes updated	No	No	No

1	Non-Medical	Email sent to wrong person by Agency staff	Internal investigation. Staff member dismissed immediately (as this person did not work for Shropshire CCG responsibility for any disciplinary action lay with the agency) Processes updated.	No	No
1	Non-Medical/Medical	Copy of patient assessment sent to wrong address	Document physically retrieved. Internal investigation. No disciplinary action necessary. Processes updated.	No	No
NHS Solihull CCG		No DPA Breaches			
NHS South East Staffs and Seisdon Peninsula CCG		No DPA Breaches			
NHS Lincolnshire South CCG		No DPA Breaches			
NHS South Norfolk CCG		No DPA Breaches			
NHS South Warwickshire CCG		No DPA Breaches			
NHS Lincolnshire South West CCG		No DPA Breaches			

NHS South Worcestershire CCG	No DPA Breaches
NHS Southend CCG	No DPA Breaches
NHS Southern Derbyshire CCG	No DPA Breaches
NHS Stafford and Surrounds CCG	No DPA Breaches
NHS Stoke on Trent CCG	No DPA Breaches
NHS Telford & Wrekin CCG	No DPA Breaches
NHS Thurrock CCG	No DPA Breaches
NHS Walsall CCG	No DPA Breaches
NHS Warwickshire North CCG	No DPA Breaches
NHS West Essex CCG	No DPA Breaches
NHS West Leicestershire CCG	No DPA Breaches
NHS West Norfolk CCG	No DPA Breaches
NHS West Suffolk CCG	No DPA Breaches

NHS Wolverhampton CCG				No DPA Breaches			
NHS Wyre Forest CCG				No DPA Breaches			
Acute Trusts							
Hertfordshire Community NHS Trust	159	159	Information not provided	Information not provided	No Disciplinary Action	No	No
Bedford Hospital NHS Trust				No DPA Breaches			
Burton Hospitals NHS Foundation Trust	13	1	Non-Medical	Disclosure of patient information to third party	Dismissed	No	No
		2	Non-Medical	Breach of confidentiality	Final written warning	No	No
		3	Non-Medical	Accessed personal information	Final written warning	No	No
		1	Non-Medical	Disclosure of information	Final written warning	No	No
		2	Non-Medical	Accessed personal information	Dismissed	No	No
		1	Non-Medical	Breach of staff confidentiality	Final written warning	No	No
		2	Non-Medical	Falsification of patient records	Final written warning	No	No

	1	Non-Medical	Removal of patient records from department	Final written warning	No	No
Basildon and Thurrock University Hospitals NHS Foundation Trust	No DPA Breaches					
Cambridge University Hospitals NHS Foundation Trust	1	Non-Medical	Disclosed patient information	Referred to Hearing (internal)	No	No
	1	Non-Medical	Accessed and disclosed patient information	Case Not Proven	No	No
	1	Non-Medical	Breach of confidentiality	Referred to Hearing (internal)	No	No
	1	Non-Medical	Accessed patient information and disclosed to 3rd party	No Case to answer	No	No
	1	Non-Medical	Breach of patient confidentiality	No Case to answer	No	No
	2	Non-Medical	Breach of confidentiality	Referred to Hearing	No	No
	1	Non-Medical	Breach of	Referred to Hearing	No	No

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			confidentiality	(internal)		
	3	Non-Medical	Breach of confidentiality	Informal Action	No	No
	1	Non-Medical	Misplaced confidential documentation	Case Not Proven	No	No
	1	Non-Medical	Sought to access confidential patient information	Referred to Hearing (internal)	No	No
	1	Non-Medical	Breach of confidentiality	Case not Proven	No	No
	520	Information not Provided	Information not provided	Investigated following the Trust's Information Governance Incident and Investigation Procedure.	No	No
Chesterfield Royal Hospital NHS Foundation Trust	One technical breach of the Act due to a delay in responding to a complex subject access request (SAR), and the ICO decided that regulatory action was not appropriate.					
Derby Hospitals NHS Foundation Trust	Exempt under Section 40 (2)					
George Eliot Hospital NHS Trust	Merged with Oxleas in 2013					
Heart Of England	12	2	Non-Medical	Accessed	Employment	No

NHS Foundation Trust			patient file for personal interest	Terminated			
	5	Medical	Accessed patient file for personal interest	Internally disciplined	No	No	
	5	Non-Medical	Accessed patient file for personal interest	Internally disciplined	No	No	
Wye Valley NHS Trust			No DPA Breaches				
Hinchingbrooke Health Care NHS Trust			No DPA Breaches				
Ipswich Hospital NHS Trust ²⁶	4	1	Unknown	Single piece of paper lost on site	Unable to identify individual so no disciplinary action could be taken	No	No
		1	Unknown	Single piece of paper removed from ward by visiting family	Unable to identify individual so no disciplinary action could be taken	No	No
		2	Unknown	Information sent to patient	Unable to identify individual so no	No	No

²⁶ Questions 2, 3 and 4 were exempt under Section 40 (2) of the Freedom of Information Act. 0 for Question 1.

				in error	disciplinary action could be taken		
Kettering General Hospital NHS Foundation Trust²⁷	2	2	Information not provided	Information not provided	Disciplined Internally	No	No
James Paget University Hospital NHS Foundation Trust				Exempt under Section 40 (2)			
Mid Essex Hospital Services NHS Trust	5	1	Drivers	Drivers had collected medical records from the Community Medical Records Library to take to a GP Practice. Lock on back door was faulty and one set of records fell out of the back door but were retrieved by the police. The	1. Drivers made responsible for vehicle checks 2. Records only to be transported in lidded boxes	No	No

²⁷ Question 1 - Cost and time limits exceeded.

		records were in a sealed envelope and clearly marked as to what they were.			
1	Medical Secretaries	A confidential letter was faxed to a GP but received by a window company. However on investigation it turned out that the correct fax number had definitely been dialled. It turned out that BT was working on the external lines at the time.	No action	No	No
1	Clinical	Picked up personal papers off desk without realising there	Was instructed to undertake Information Governance Training immediately	No	No

		were a few sheets of paper that contained some patient identifiable information underneath. Went home on the bus and he inadvertently left the hospital papers on the bus.			
1	Clerical	Staff member accessed demographic and appointment details about family members, colleagues and other staff in the Trust without having any work requirement to do so.	Dismissed	No	No

		1	Bank Nurse	Whilst making every effort to dispose of a ward handover sheet safely, not being able to find the appropriate waste bin, she tucked it in her bag and took it home with a view to bringing it back next day to dispose of it, but in the dark whilst getting out of her car, it slipped out of her bag. It was found by nurse from Colchester Hospital who reported it.	Reported to the Information Commissioner who decided not to take any action against the Trust. Confidential Waste bins now being placed at Hospital exits. Member of staff had to retake Information Governance Training	No	No
Mid Staffordshire NHS Foundation	2	1	Non-Medical	Inappropriate access of	Disciplined - final warning issued - 2 year	No	N/A

Trust			medical records and breach of patient confidentiality.	duration			
		1	Non-Medical	Breach of patient confidentiality.	Disciplined - final warning issued - 2 year duration	No	N/A
Norfolk and Norwich University Hospitals NHS Foundation Trust ²⁸	4	3	Non-Medical	Information not provided	Disciplined Internally	No	No
		1	Non-Medical	Information not provided	Resigned during disciplinary process	Yes	No
Northampton General Hospital NHS Trust	No personnel have been convicted under the DPA nor have there been any instances where there was not action. No one has resigned during a disciplinary process. However the number of instances where there were internal disciplinary procedures, as well as the number of times staff have had their employment terminated were exempted under S. 40 of the Freedom of Information Act.						
Nottingham University Hospital NHS Trust	31	1	Non-Medical	Accessed information re relative	Final Written Warning	No	No
		1	Non-Medical	Sharing highly personal & sensitive health info inappropriately	Final Written Warning	No	No
		1	Non-Medical	Breach in	Final Written Warning	No	No

²⁸ Question 5 - Information not centrally recorded.

			confidentiality			
1	Non-Medical	Misfiled patient information	Informal Action	No	No	
1	Non-Medical	Failure to maintain confidentiality	Informal Action	No	No	
1	Non-Medical	Publicly discussed confidential information	Informal Action	No	No	
1	Medical	Accessed relatives medical records	Informal Action	No	No	
1	Non-Medical	Looked up own results	Verbal Warning	No	No	
1	Non-Medical	Sent patient info to unsecure email account	Verbal Warning	No	No	
2	Non-Medical	Accessed patient record inappropriately	Verbal Warning	No	No	
1	Non-Medical	Took photographs of records	Verbal Warning	No	No	
1	Non-Medical	Sent confidential staff	Verbal Warning	No	No	

		information to inappropriate recipient			
1	Non-Medical	Confidential information taken from car	Verbal Warning	No	No
1	Non-Medical	Inappropriately discussed investigation	Written Warning	No	No
1	Non-Medical	Breached patient confidentiality, discussed results	Written Warning	No	No
3	Non-Medical	Accessed patient information inappropriately	Written Warning	No	No
1	Non-Medical	Passed patient notes to an inappropriate person	Written Warning	No	No
1	Non-Medical	Accessed a patient record without entitlement	Written Warning	No	No
1	Non-Medical	Sharing confidential meeting details	Case Not Proven	No	No

		1	Non-Medical	Discussed investigation with colleagues	No Case to answer	No	No
		1	Non-Medical	Copied disciplinary outcome letter inappropriately	No Case to answer	No	No
		1	Non-Medical	Breached confidentiality inappropriately	No Case to answer	No	No
		1	Non-Medical	Shared patient information	No Case to answer	No	No
		1	Non-Medical	Discussed confidential aspects of an investigation with others	No Case to answer	No	No
		2	Non-Medical	Breached patient confidentiality	No Case to answer	No	No
		1	Non-Medical	Breach of confidentiality	No Case to answer	No	No
		1	Non-Medical	Shared Trust e-mails inappropriately	No Case to answer	No	No
Oxford University Hospitals NHS Trust	25	1	Medical	Potential breach - photos of	staff member advised of approved process	No	No

			patient taken on personal mobile phone		
2	Non-Medical	Personal Information sent to incorrect fax number	staff member reminded of need to be exceptionally careful with dialling (2 incidents, different staff)	No	No
1	Non-Medical	HR record sent to wrong address	staff member cautioned about need for extra care	No	No
1	Non-Medical	HR records lost	all staff reminded of need for care	No	No
2	Non-Medical	disclosed address of child in care to parent who shouldn't have known	staff member reminded of need for additional care	No	No
2	Medical	Computer screen not closed at session end - potential breach	staff member reminded of need to log-out	No	No
2	Non-Medical	Computer screen not closed at	staff member reminded of need to log-out	No	No

			session end - potential breach				
	1	Medical	Inappropriately accessed personal information	not known who accessed and shared the data	No	No	
	8	Non-Medical	Inappropriately accessed personal information	staff member cautioned/counselled about their conduct	No	No	
	5	Medical	Inappropriate disposal of personal information (handover lists)	staff member cautioned /counselled about their conduct and advised of correct process	No	No	
Papworth NHS Foundation Trust			No breaches of DPA				
Peterborough and Stamford Hospital NHS Foundation Trust	5	1	Non-Medical	Incorrect disposal of cancer patient data	Internal disciplinary action	No	No
		3	Medical	Disclosure of ward list containing patients personal and clinical details	Internal disciplinary action. Incident reported to Deanery	No	No

		1	Non-Medical	Batch of patient letters sent to individual patient	Under investigation	Under investigation	Under investigation
Robert Jones and Agnes Hunt Orthopaedic Hospital NHS				Information not held in a retrievable format			
Sandwell and West Birmingham Hospitals NHS Trust				No breaches of DPA			
Nottinghamshire Health Informatics Service (NHIS)²⁹	7	7	Non-Medical	Accessed personal information for personal interest/Shared patient information with a 3rd party.	Disciplined Internally	No	No
Shrewsbury and Telford Hospitals NHS Trust	173	17	Not Recorded	Insecure disposal of inadequately protected electronic	No action	No	No

²⁹ Refers to April 2012-March 2013, other years internal disciplinary information were withheld under Freedom of Information Act Section 40 (2).

			equipment, devices or paper documents			
95	Not Recorded	Unauthorized disclosure	No action	No	No	
1	Not recorded	Unauthorized disclosure of patient demographics to another patient	Individual's notified by post.	Information not provided		
1	Not Recorded	Loss of inadequately protected electronic equipment or paper documents from secured NHS premises	No action			
1	Not Recorded	A report for financial 'validation' purposes was sent to local CSU/CCG but the sender was not aware of	Under review	No	No	

		'non-disclosure' rules on sharing person-identifiable data with commissioners.			
1	Not Recorded	A letter folding machine was inadvertently set at '2' resulting in 2 letters being inserted into one envelope	All patients identified were notified by post	No	No
1	Not Recorded	Loss of inadequately protected electronic equipment devices, or paper documents from outside secured NHS premises	No action	No	No
2	Not Recorded	Loss of inadequately protected electronic	No action	No	No

				equipment devices, or paper documents from secured NHS premises.			
		55	Not Recorded	Other	No action	No	No
South Warwickshire General Hospitals NHS Trust	3	1	Non-Medical	Member of staff took confidential patient information home	Disciplined Internally	No	No
		1	Non-Medical	Accessed personal information for personal interests	No action	No	No
		1	Non-Medical	Patient was inappropriately sent information relating to other patients	No action	No	No
The Dudley Group of Hospitals NHS Foundation Trust		Information not held centrally					
The Princess		Less than 5 instances, information withheld under Section 40(2)					

Alexandra Hospital NHS Trust							
The Queen Elizabeth Hospital King's Lynn NHS Trust	3	2	Medical	Inappropriate information in relation to patients posted on Facebook	Suspension, investigation completed. Sanctions issued in line with internal Disciplinary Process	No	No
		1	Non-Medical	Breach of patient confidentiality	Investigation completed. Sanctions issued in line with internal Disciplinary Process	No	No
The Royal Orthopaedic Hospital NHS Foundation Trust	2	1	Non-Medical	Non secure disposal of paperwork	Disciplinary sanction	No	No
		1	Non-Medical	Sharing of personal and sensitive information	Disciplinary sanction	No	No
The Royal Wolverhampton NHS Trust	2	1	Non-Medical	Information not provided	Employment Terminated	No	No
		1	Non-Medical	Information not provided	Resigned during disciplinary procedures	Yes	No
University Hospital Birmingham NHS Foundation Trust				Did not respond to FOI			

University Hospital Of North Staffordshire NHS Trust	13	4	Non-Medical	Inappropriately accessed patient information	Disciplinary investigation resulting in sanction	No	No
		1	Medical	Inappropriately accessed patient information	Disciplinary investigation resulting in sanction	No	No
		1	Non-Medical	Inappropriately accessed patient information	Disciplinary investigation resulting in summary dismissal	No	No
		1	Non-Medical	Accessed own medical records	Disciplinary investigation resulting in sanction	No	No
		1	Non-Medical	Accessed own medical records and inappropriately accessed patient information	Disciplinary investigation resulting in summary dismissal	No	No
		1	Non-Medical	Inappropriately shared patient information with a third party	Disciplinary investigation resulting in no sanction	No	No
		3	Non-Medical	Inappropriately accessed	Disciplinary investigation resulting	Yes	No

University Hospitals Coventry and Warwickshire NHS Trust	54	1	Non-Medical	patient information Inappropriately shared patient information with a third party	in informal sanction Disciplinary investigation resulting in informal sanction	No	No
		2	Medical	Inappropriate access and/or use of records	Summary Dismissal	No	No
		3	Non-Medical	Inappropriate access and/or use of records	Summary Dismissal	No	No
		4	Non-Medical	Inappropriate access and/or use of records	Final Written Warning	No	No
		1	Medical	Inappropriate access and/or use of records	Formal Action Other	No	No
		14	Medical	Inappropriate access and/or use of records	Written Warning	No	No
		24	Medical	Inappropriate access and/or use of records	Final Written Warning	No	No
		5	Non-Medical	Inappropriate access and/or use of records	Written Warning	No	No
		1	Non-Medical	Inappropriate	Investigation and	Yes	No

				access and/or use of records	hearing		
University Hospitals Of Leicester NHS Trust³⁰	13	2	Non-Medical	Information not provided	Employment Terminated	No	No
		10	Non-Medical	Information not provided	Disciplined Internally	No	No
		1	Non-Medical	Information not provided	Resigned	Yes	No
Walsall Hospitals NHS Trust	6	1	Medical	Accessed personal information for personal interest	Disciplined - Final Written Warning	No	No
		1	Medical	Loss of Patient Data	Disciplined - Formal Counselling	No	No
		1	Medical	Accessed personal information for personal interest	Disciplined - Final Written Warning	No	No
		1	Non-Medical	Inappropriately shared patient information with a third party	Disciplinary process started	Yes	No
		2	Medical	Passed information to	Disciplined - Final Written Warning	No	No

³⁰ Response only covers: 1 July 2012 - 1 April 2014 because of cost and time.

third party						
West Hertfordshire Hospitals NHS Trust No DPA Breaches						
Worcestershire Acute Hospitals NHS Trust 6	1	Non-Medical	Disclosed personal data without consent	Disciplined - stage 1 formal warning	No	No
	1	Non-Medical	Disclosed personal data without consent	Disciplined - final formal warning	No	No
	1	Medical	Obtaining a colleague's job application and sharing its contents in a public arena	Investigated and informal action taken	No	No
	1	Non-Medical	Displayed personal information of a colleague during an on-screen presentation	Investigated and informal action taken	No	No
	2	Non-Medical	Accessed a colleague's medical record	Investigated and informal action taken	No	No

inappropriately							
Mental Health							
Birmingham and Solihull Mental Health NHS Foundation Trust	4	1	Non-medical	Provided information without consent regarding a serious incident on a forensic unit	First written warning	No	No
		1	Non-medical	Provided clinical information of a patient who had a personal connection to partner	Suspended pending outcome of disciplinary investigation	No	No
		1	Non-medical	Information governance breach	Disciplinary investigation commenced resigned before completion	Yes	No
		1	Medical	Accessed records without consent	Final written warning	No	No
Cambridgeshire and Peterborough NHS Foundation Trust (Mental	11	1	Non-Medical	Breached patient confidentiality whilst speaking to the media	Written warning for 1 year	No	No

Health)	1	Non-Medical	Discussed child's care with school staff member without formal consent	Final written warning	No	No
	1	Non-Medical	Allegations of a discussion with a school staff member without obtaining formal consent to share information	Dismissed	No	No
	1	Non-Medical	Allegations relating to breaches of confidentiality	First written warning	No	No
	1	Non-Medical	Breach of service users confidentiality to another service user	Resigned prior to hearing	Yes	No
	1	Non-Medical	Breach of confidentiality re inappropriate storage of	Final written warning	Yes	No

			client files			
1	Non-Medical	Unprofessional behaviour and breach of confidentiality in a public place	File note issued	No	No	
1	Non-Medical	Accessing information regarding their own children. And on behalf of someone else and handing on that information to them	First written warning to remain on file for 12 months	No	No	
1	Non-Medical	Accessed child's records with a view to expedite the process of its referral	First written warning for 12 months	No	No	
1	Non-Medical	Sent incorrect information to solicitor regarding employment	13/3 management instruction issued.	No	No	

Coventry and Warwickshire Partnership NHS Trust (Mental Health)	8	1	Non-Medical	information for colleague. Disclosed information externally outside of the Trust.	Dismissed	No	No
		2	Non-Medical	Accessing electronic records for individuals not on clinical caseload	Suspension. Internal investigation carried out. Outcome - no further action for the individual	No	No
		1	Non-Medical	Accessing electronic records for individuals not on clinical caseload	Suspension. Internal investigation carried out. Outcome - Final formal warning issues at a Disciplinary Hearing.	No	No
		1	Non-Medical	Accessing electronic records for individuals not on clinical caseload	Suspension. Internal investigation carried out. Outcome - Second formal warning issues at a Disciplinary Hearing.	No	No
		1	Non-Medical	Accessing clinical systems for people not on own case	Dismissal	No	No

Derbyshire Healthcare Foundation Trust			load			
		2	Non-Medical	Accessing clinical system inappropriately - attempt to locate an Individual (no records actually held)	Informal	No No
		1	Non-Medical	Breach of confidentiality including disclosure to a 3rd party	Investigation - staff member dismissed	No No
	5	1	Medical	Sent patient form without password protection to wrong person	Alternative hearing - Final Written Warning	No No
		1	Medical	Requested another Staff Member's password	Alternative hearing - Final Written Warning	No No
		1	Medical	Stored personal identifiable information on home computer	Written warning	No No

		1	Medical	Attempted to access a member of staff's (who is also a family member) patient record on the Carenotes system.	Alternative Hearing - Final Written Warning	No	No
		1	Non-Medical	Accessed patient information including clinical letters regarding a colleague	Disciplinary hearing held in employee's absence. Decision to dismiss.	Yes	No
Dudley and Walsall Mental Health Partnership NHS Trust	3	3	Information not provided		No Formal Action	No	No
Leicestershire Partnership NHS Trust (Mental Health)	7	3	Non-Medical	Failure to safeguard Personal Identifiable Data	Written Warning	No	No
		2	Non-Medical	Inappropriate use of personal	Written Warning	No	No

Norfolk and Suffolk NHS Foundation Trust	13	1	Non-Medical	information Inappropriate use of personal information	Oral Warning	No	No
				Inappropriate use of personal information	Unspecified	No	No
		1	Non-Medical	Hiding and destroying sensitive personal information	Dismissed	No	No
		2	Non-Medical	Accessed personal information	Disciplinary sanction	No	No
		1	Non-Medical	Incorrect transmission to third party	Disciplinary sanction	No	No
		1	Medical	Accessed personal information	Investigation currently undertaken	N/A	N/A
		6	Non-Medical	Incorrect transmission to third party	No Action	N/A	N/A
		1	Medical	Incorrect transmission to third party	No Action	N/A	N/A
		1	Unknown	Loss of paper records	No Action	N/A	N/A

North Essex Partnership NHS Foundation Trust (Mental Health)		Did not respond to FOI					
North Staffordshire Combined Healthcare NHS Trust (Mental Health)	145	1	Non-Medical	Sending inappropriate text messages that breached patient confidentiality & other allegations (not DPA-related)	Suspension, Disciplinary investigations & hearing. Outcome: summary dismissal	No	No
		1	Non-Medical	Accessed medical records for personal reasons	Suspension, Disciplinary investigation & hearing. Outcome: disciplinary sanction	No	No
		1	Medical	3 Faxes sent to wrong number	Fine incurred by ICO	No	No
		62	Information not provided	Loss of Confidential information	Where the incidents are deemed to be low level in terms of seriousness the Trust approach is to educate and where necessary retrain staff to ensure that they	No	No
		12	Information not provided	Loss of Confidential information Non-Clinical		No	No
		32	Information not	Medical or		No	No

			provided	Nursing record issues	understand their responsibilities with regard to the Data Protection Act 1998.		
			Information not provided	Non Consensual Disclosure			
			Information not provided	Loss of Confidential Information Clinical			
			Information not provided	Documentation			
Northamptonshire Healthcare NHS Trust (Mental Health)	346	346	Information not broken down - potential and actual breaches		No disciplinary action	No	No
Nottinghamshire Healthcare NHS Trust (Mental Health)	13	1	Non-Medical	Accessed patient information, for personal reasons	Contract terminated	No	No
		1	Non-Medical	Inappropriate access of patient record for personal interest	First Written Warning	No	No
		1	Non-Medical	Inappropriate access of patient record (no personal	Verbal Warning	No	No

			interest)			
1	Non-Medical	Inappropriate access of patient record	First Written Warning	No	No	
1	Non-Medical	Breach of confidentiality in relation to staff personal information	Internal disciplinary hearing	No	No	
1	Non-Medical	Breach of confidentiality in relation to staffs personal information	First Written Warning	No	No	
1	Non-Medical	Breach of patient information on social media	First Written Warning	No	No	
1	Non-Medical	Alleged inappropriate access of a patient record but this could not be confirmed	Disciplined on the basis of failing to safeguard equipment/information which led to the inappropriate accessing of patient records	No	No	
1	Non-Medical	Accessed confidential information for	Verbal Warning	No	No	

			personal use and did not secure in a safe manner			
1	Non-Medical		Did not secure confidential information in a safe manner	Resigned during investigation	Yes	No
1	Non-Medical		Failed to appropriately securely handle patient information identifiable information	No action	No	No
1	Non-Medical		Accessed confidential information for personal use and did not secure in a safe manner	No action	No	No
1	Non-Medical		Did not secure confidential information in a safe manner	No action	No	No
Oxfordshire and Buckinghamshire Mental Health			Now defunct - Part of Oxford Health NHS Foundation Trust			

NHS Foundation Trust (Mental Health)							
Oxfordshire Learning Disability NHS Trust (Mental Health)							
Now Defunct - Part of Oxford Health NHS Foundation Trust							
Black Country Partnership NHS Foundation Trust	2	2	Non-Medical	Box of confidential data left in open - unattended	1st level Warning	No	No
		1	Medical	Loss of Information	Formal Supervision	No	No
South Essex Partnership University NHS Foundation Trust (Mental Health)	6	1	Medical	Theft of Information and Equipment	No action	No	No
		1	Medical	Loss of Information	Verbal Caution and Formal Supervision	No	No
		1	Medical	Inappropriate Waste Disposal	Informed General Medical Council (GMC)	No	No
		1	Medical	Theft of Equipment	Formal Supervision	No	No
		1	Medical	Information Shared with a Third Party (System)	No action	No	No

South Staffordshire and Shropshire Healthcare NHS Foundation Trust (Mental Health)	10	1	Non-Medical	Breach of confidentiality, misuse of IT system, breach of trust and confidence	Dismissed	N/A	None
		1	Medical	Unauthorised disclosure of patient information.	Informal action	N/A	None
		1	Medical	Inappropriately accessed patient record of a work colleague	Summarily Dismissed	N/A	None
		1	Medical	Breached Service User Confidentiality	No Case to answer	N/A	None
		1	Non-Medical	Telephone conversation between staff member and service user.	Dismissed	N/A	None
		1	Medical	Inappropriate access to patient information / passing on info outside NHS	Summarily Dismissed	N/A	None

Worcestershire Health and Care NHS Trust	10	1	Medical	Failure to secure IT equipment and patient information resulting in theft of same.	Final Warning	N/A	None
		1	Non-Medical	Disclosed Trust information without authorisation to do so.	No Case to answer	N/A	None
		1	Medical	Accessed and used mobile number of service user's friend	Informal Action	N/A	None
		1	Non-Medical	Accessing service user record without permission	No Case to answer	Yes	None
	10	1	Information not provided	Passed information to third party	Suspended. Investigation on-going	N/A	N/A
		1	Information not provided	Passed information to third party	N/A	Yes	N/A
		1	Information not provided	Accessed Personal	Informal action taken	No	No

	Information						
	2	Information not provided	Passed information to third party	Final Written Warning	No	No	
	1	Information not provided	Accessing Personal Information	Final Written Warning	No	No	
	1	Information not provided	Accessing Personal Information	Informal action taken	No	No	
	3	Information not provided	Accessing Personal Information	No case to answer	No	No	
Ambulance							
East Midlands Ambulance Service NHS Trust		Did not respond to FOI					
Great Western Ambulance Service NHS Trust		Merged with South Western Ambulance Service					
East Of England Ambulance Service NHS Trust	12	1	Non-Medical	Breach of patient confidentiality (amongst other allegations)	Resigned during process	Yes	No
		1	Medical	Breach of patient confidentiality	Informal	No	No
		1	Non-Medical	Breach of	Informal	No	No

		colleague confidentiality			
1	Medical	Potential breach of patients confidentiality due to lack of diligence	First Written Warning	No	No
1	Non-Medical	Breach of confidentiality	Informal	No	No
1	Medical	Internet posting that could have led to breach of confidentiality	Informal Verbal Warning	No	No
1	Non-Medical	Mix up with compliant responses so incorrect investigation report sent to three complaints.	No action	No	No
1	Non-Medical	Loss of 2 care records in A&E	No action	No	No
1	Medical	Pack of patient care records left in public place	No action	No	No

West Midlands Ambulance Service NHS Trust	12	1	Non-Medical	Staff home address given to other staff member	No action	No	No
		1	Non-Medical	Staff records sent to old home address	No action	No	No
		1	Non-Medical	Staff names and addresses released during tender process	No action	No	No
	12	1	Medical	Loss of Journey Sheet	From a previous loss of a journey sheet specific information was removed from paperwork, thereby negating impact of loss. Clipboards were provided to all staff	N/A	N/A
		1	Medical	Loss of PRF - Recorded Post	Reported to Royal Mail to investigate and quality check further records sent by recorded delivery	N/A	N/A
		1	Medical	Loss of Journey Sheet	Driver have now been encouraged to use secure PDAs rather than paper	N/A	N/A

1	Medical	Information Sent to Wrong Email Address	Loss within the NHS, individual contacted had agreed to destroy, adequate training provided	N/A	N/A
1	Medical	Patient Data viewable by GP Practices	Pilot project involving 4 GP Practices and less than 15 Patient Details was not secure which was discovered by WMAS Internal Audit therefore Project was shutdown	N/A	N/A
1	Non-Medical	Usernames and Passwords sent via email	Passwords changed and training provided	N/A	N/A
1	Medical	Inappropriate access rights when setting up users and incorrect segmentation of data	Access rights were assessed and amended where appropriate. Appropriate segmentation of data was instigated.	N/A	N/A
1	Non-Medical	Incorrect Boxes Destroyed	Audit existing boxes and ensure that boxes were only destroyed with relevant authorisation	N/A	N/A

	1	Medical	Loss of PRF's	Area Support Officer dispatched to scene to retrieve PRFs - all but 9 located. Crew member received 6 month counselling	N/A	N/A
	1	Medical	Loss of PRF	Area Support Officer dispatched to scene to retrieve PRF - PRF was not located	N/A	N/A
	1	Medical	Sent to wrong fax number	Uniformed Officer collected fax from the relevant location. Correct Fax Numbers were checked before being stored in the fax machine. Adequate training provided.	N/A	N/A
	1	Medical	Information Sent to Wrong Email Address	Loss within the NHS, individual contacted had agreed to destroy, adequate training provided	N/A	N/A
Total	1,692	1,692			17	0

Table 5: Regional Breakdown – North of England

All figures are for the years 2011 to 2014 unless otherwise indicated. All figures relating to Clinical Commissioning Groups (CCGs) are for 2013-2014.

Organisation	Number of Data Breaches	Number of Occurrences	Medical/Non-Medical	Outline of DPA breach	Action taken	Resignation	Conviction
Clinical Commissioning Groups							
NHS Airedale, Wharfedale and Craven CCG				No DPA Breaches			
NHS Barnsley CCG				No DPA Breaches			
NHS Bassetlaw CCG	1	1	Medical	Passed information to 3rd party	Passed to ICO	No	No
NHS Blackburn with Darwen CCG				No DPA Breaches			
NHS Blackpool CCG				No DPA Breaches			
NHS Bolton CCG				No DPA Breaches			
NHS Bradford City CCG				No DPA Breaches			
NHS Bradford Districts CCG				No DPA Breaches			
NHS Bury CCG				No DPA Breaches			

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NHS Calderdale CCG	3	3	3 CCG breaches. Using the incident classification 'severity rating'; these incidents were rated at '0'				
NHS Central Manchester CCG			No DPA Breaches				
NHS Chorley and South Ribble CCG			Did not respond to FOI				
NHS Cumbria CCG			No DPA Breaches				
NHS Darlington CCG			No DPA Breaches				
NHS Doncaster CCG			No DPA Breaches				
NHS Durham Dales, Easington and Sedgefield CCG			No DPA Breaches				
NHS East Lancashire CCG			No DPA Breaches				
NHS East Riding of Yorkshire CCG	1	1	Non-Medical	Loss of deceased patient records stored on encrypted disc that was externally posted	Reported to the information commissioner. Reported externally as a Serious Incident. Full investigation	No	No

				with the password.	undertaken utilising RCA methodology. Recommendations for improvement made and implemented.		
NHS Eastern Cheshire CCG				No DPA Breaches			
NHS Fylde & Wyre CCG				No DPA Breaches			
NHS Gateshead CCG				No DPA Breaches			
NHS Greater Huddersfield CCG				No DPA Breaches			
NHS Greater Preston CCG				No DPA Breaches			
NHS Halton CCG				No DPA Breaches			
NHS Hambleton, Richmondshire and Whitby CCG				No DPA Breaches			
NHS Harrogate and Rural District CCG	2	1	Medical	Lost nursing assessment	No disciplinary actions taken against individuals	No	No

		1	Medical	Incorrect medical records supplied as part of Continuing Healthcare request	No disciplinary actions taken against individuals	No	No
NHS Hartlepool and Stockton-on-Tees CCG				No DPA Breaches			
NHS Heywood, Middleton & Rochdale CCG				No DPA Breaches			
NHS Hull CCG				No DPA Breaches			
NHS Knowsley CCG				No DPA Breaches			
NHS Lancashire North CCG				No DPA Breaches			
NHS Leeds North CCG				No DPA Breaches			
NHS Leeds South and East CCG				No DPA Breaches			
NHS Leeds West CCG	2	2	Information not provided	Information not provided - Minor Incidents	Members of staff were advised to take care in handling information.	No	No
NHS Liverpool CCG				No DPA Breaches			

NHS Newcastle North and East CCG	No DPA Breaches
NHS Newcastle West CCG	No DPA Breaches
NHS North Durham CCG	No DPA Breaches
NHS North East Lincolnshire CCG	No DPA Breaches
NHS North Kirklees CCG	No DPA Breaches
NHS North Lincolnshire CCG	No DPA Breaches
NHS North Manchester CCG	No DPA Breaches
NHS North Tyneside CCG	No DPA Breaches
NHS Northumberland CCG	No DPA Breaches
NHS Oldham CCG	No DPA Breaches
NHS Rotherham CCG	No DPA Breaches
NHS Salford	No DPA Breaches

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CCG								
NHS Scarborough and Ryedale CCG	1	1	Medical	Misplacement of 23 medical records of which 15 were later located	No disciplinary actions taken against individuals	No	No	
NHS Sheffield CCG				No DPA Breaches				
NHS South Cheshire CCG				No DPA Breaches				
NHS South Manchester CCG				No DPA Breaches				
NHS South Tees CCG				No DPA Breaches				
NHS South Sefton CCG				No DPA Breaches				
NHS South Tyneside CCG				No DPA Breaches				
NHS Southport and Formby CCG				No DPA Breaches				
NHS St Helens CCG				No DPA Breaches				
NHS Stockport CCG	2	1	Non-Medical	Patient data sent to the wrong address.	Internal investigation, change in procedures and staff training.	No	No	

		1	Non-Medical	Patient information accidentally attached to a letter.	Internal investigation, change in procedures and staff training.	No	No
NHS Sunderland CCG				No DPA Breaches			
NHS Tameside and Glossop CCG	1	1	Medical	Incorrect information provided to another organisation who then sent information to a wrong address	individual advised of error coupled with a revision of business process to prevent repeat	No	No
NHS Trafford CCG				No DPA Breaches			
NHS Vale of York CCG				No DPA Breaches			
NHS Vale Royal CCG				No DPA Breaches			
NHS Wakefield CCG				No DPA Breaches			
NHS Warrington CCG				No DPA Breaches			
NHS West Cheshire CCG				No DPA Breaches			

NHS West Lancashire CCG			No DPA Breaches					
NHS Wigan Borough CCG			No DPA Breaches					
NHS Wirral CCG			No DPA Breaches					
Acute Trusts								
Alder Hey Children's NHS Foundation Trust		3	3	Information not Provided	Information not provided	No Action	No	No
Aintree University Hospitals NHS Foundation Trust		9	1	Non-Medical	Inappropriate access to relatives record	Single Stage Final Warning	No	No
			1	Non-Medical	Inappropriate access to patient record and disclosing information to patient	Summary dismissal	No	No
			2	Non-Medical	Breach of Data Protection Policy	Informal counselling	No	No
			1	Non-Medical	Inappropriately shared information with a third party	No case to answer	No	No
			3	Non-Medical	Accessed personal	Single Stage Final Warning	No	No

Airedale NHS Trust	3	1	Non-Medical	information for personal interest Displayed staff information on social media account	Written warning	No	No
		1	Medical	Breach of patient confidentiality by accessing family member's record.	Disciplinary	No	No
		1	Non-Medical	Breaching patient confidentiality by disclosing information.	Disciplinary	No	No
		1	Non-Medical	Accessing patient records without appropriate authority.	Disciplinary	No	No
Barnsley Hospital NHS Foundation Trust	6	6	Non-Medical	Refused - Section 40(2)	Disciplined Internally	No	No
Birmingham Children's Hospital NHS Foundation Trust	4	1	Non-Medical	Accessing a patients records contravening Caldicott principles	Written Warning	No	No

	1	Non-Medical	Deleting records from patient screening log. Failed to document informed consent	No Case to Answer	No	No
	1	Medical	Published Trust radiology images without approval	Informal Action	No	No
	1	Non-Medical	Attempt to alter patient drug chart & inappropriate behaviour	Informal Action	No	No
Birmingham Women's NHS Foundation Trust		Fewer than 5 instances of breaches being disciplined internally - Refused under Section 40(2) Freedom of Information Act				
Blackpool Teaching Hospitals	1	Non-Medical	Breach of confidentiality	Dismissal	N/A	No
	1	Non-Medical	Accessing patient record	Dismissal	N/A	No
	1	Non-Medical	Accessing patient record	Final Warning	No	No
	1	Non-Medical	Breach of confidentiality	No Further Action	No	No
	2	Non-Medical	Breach of confidentiality	No case to answer	No	No
	1	Non-Medical	Breach of	No case to answer	No	No

Trust		shared information					
		1	Non-Medical	Accessed own records	First written warning	No	No
		1	Non-Medical	Accessed medical records	Final written warning	No	No
		1	Non-Medical	Sent patient details to third party	Verbal warning	No	No
		1	Non-Medical	Accessed family members records	Verbal warning	No	No
		2	Non-Medical	Looking at patient notes in nurses bay	Verbal warning	No	No
		1	Non-Medical	Patient information shared on Facebook	First written warning	No	No
		1	Non-Medical	Inappropriate access to patient data	First written warning	No	No
	City Hospitals Sunderland NHS Foundation Trust	26	1	Medical	Password shared inappropriately	Informal caution	No
1			Non-Medical	Breach of patient confidentiality/in appropriate access to HISS	Dismissed	No	No
1			Medical	Inappropriate access to HISS	Final written warning	No	No

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1	Non-Medical	Breach of IG, patient info	Dismissed	No	No
1	Non-Medical	Breach of IG, patient info	No case to answer	No	No
1	Non-Medical	Disclosing patient info	Dismissed	No	No
1	Non-Medical	Inappropriate comments on social media	Verbal warning 6 months	No	No
1	Non-Medical	Inappropriate comments on social media	Written warning 6 months	No	No
5	Non-Medical	Inappropriate comments on social media	No case to answer	No	No
2	Non-Medical	Inappropriate comments on social media	Informal caution	No	No
1	Non-Medical	Inappropriate comments on social media	Suspended - informal caution	No	No
1	Medical	Inappropriate comments on social media	Informal caution	No	No
1	Medical	Inappropriate comments on social media	Final written warning	No	No
2	Non-Medical	Breach of patient confidentiality	Dismissed	No	No

		1	Medical	Breach of IG, patient info	Final written warning 12 months	No	No
		4	Non-Medical	Breach of IG	Informal caution	No	No
		1	Non-Medical	Inappropriate comments on social media	Final written warning 12 months	No	No
Clatterbridge Centre For Oncology NHS Foundation Trust	1	1	Medical	Evidence of accessing information breaching the Data Protection Act following allegations of disclosing confidential information,	Dismissed	No	No
Colchester Hospital University NHS Foundation Trust	5	5	Information not provided	Information not provided	Dismissed	No	No
Countess Of Chester Hospital NHS Foundation Trust	7	1	Non-Medical	Inappropriately shared patient information	Employment Terminated	No	No
		1	Medical	Information not provided	Disciplined Internally	No	No
		2	Non-Medical	Inappropriately shared patient information	Disciplined Internally	No	No

County Durham and Darlington NHS Foundation Trust	20	1	Non-Medical	Loss of patient information	Disciplined Internally	No	No
		2	Non-Medical	Inappropriate personal access to information	Disciplined Internally	No	No
		3	Information not broken down: two medical and eight non-medical	Breach of confidentiality - inappropriate disclosure	Investigation by Line Manager	No	No
		5		Breach of patient confidentiality - inappropriate disclosure	Investigation by Line Manager	No	No
		2		Breach of confidentiality - Inappropriate disclosure of staff information	Investigated by Line Manager	No	No
		1		Breach of confidentiality - Inappropriate disclosure of information	Disciplinary	No	No
		1		Breach of Confidentiality - Inappropriate disclosure of staff information	Formal Discussion	No	No

	5	Non-Medical	Breach of Confidentiality - Breach of IT Policy, accessing records	Disciplinary	No	No
	2	Non-Medical	Breach of Confidentiality - Breach of IT Policy, accessing records	Formal Discussion	No	No
	1	Non-Medical	Breach of Confidentiality - Breach of IT Policy, accessing records	Investigation	No	No
Doncaster and Bassetlaw Hospitals NHS Foundation Trust			Did not respond to FOI			
East Cheshire NHS Trust			Refused: Cost and Time			
East Lancashire Hospitals NHS Trust	11	1	Non-Medical	Accessed personal information for personal interest	Dismissed	No
		1	Non-Medical	Shared patient information with a third party	Dismissed	No

	3	Non-Medical	Inappropriately shared patient information with a third party	Reprimand	No	No
	2	Non-Medical	Accessed personal information for personal interest	Final Written Warning	No	No
	1	Non-Medical	Shared patient information with a third party	Informal Action	No	No
	1	Medical	Shared patient information with a third party	Final Written Warning	No	No
	1	Non-Medical	Inappropriately shared patient information with a third party	Hearing continued and allegations substantiated	Yes	No
	1	Non-Medical	Accessed personal information for personal interest	First Written Warning	No	No
Gateshead Health NHS Foundation Trust	Did not respond to FOI					
Harrogate and District NHS Foundation	0 for Qs 1, 2, 4 and 5 - Q. 3 refused under S.40 Freedom of Information Act					

Trust						
Hull and East Yorkshire Hospitals NHS Trust³¹	8	1	Medical (NR*)	Unauthorised access of own patient record	Disciplined (no prosecution)	No
		1	Non-Medical	Unauthorised access of patient records	Disciplined (no prosecution)	No
		1	Non-Medical	Accessing patient records of family member and disclosing to patient without authorisation	Disciplined (no prosecution)	No
		1	Medical (R*)	Loss of laptop with unencrypted patient data	Disciplined (no prosecution)	No
		1	Non-Medical	Accessed another member of staff's personal details	Disciplined (no prosecution)	No
		1	Medical (NR*)	Posting messages on intranet forum which could breach patient	Disciplined (no prosecution)	No

³¹ (R) denotes medical personnel registered with an external body such as the General Medical Council or Nursing and Midwifery Council. (NR) denotes medical personnel who care for patients but are not required to be registered with an external body eg Nursing Auxiliaries, Clinical Support Workers.

		confidentiality					
		1	Medical (R*)	Patient identifiable information removed from Trust and found fly-tipped	Disciplined (no prosecution)	No	No
		1	Non-Medical	Breach of patient confidentiality with a third party	No disciplinary action	No	No
Lancashire Teaching Hospital NHS Foundation Trust	6	4	Non-Medical	Accessed personal information	Dismissed	No	No
		1	Non-Medical	Passed information to third party	No case to answer	No	No
		1	Non-Medical	Accessed personal information	First and Final written warning	No	No
Leeds and York Teaching Hospitals NHS Trust	11	1	Medical	Left personal staff information open on a computer where other staff could access	Verbal Warning	No	Not that we are aware of
		1	Medical	Inappropriate storage of staff information other staff had access	Personal Responsibility Letter	No	Not that we are aware of

			to		
1	Non- Medical	Shared person identifiable information via a non-secure email account	Personal Responsibility	No	Not that we are aware of
1	Medical	Requested person identifiable information to be sent via a non-secure email account	Personal Responsibility	No	Not that we are aware of
1	Medical	Left person identifiable information in a non-secure area	Personal Responsibility	No	Not that we are aware of
1	Medical	Inappropriate access to records	Final Written Warning	No. (Has subsequently left the Trust)	Not that we are aware of. We reported the DPA breach to the ICO - no further action taken.

		1	Non- Medical	Posted inappropriate information on a networking site	Verbal Warning	No	Not that we are aware of
		1	Non- Medical	Reported seeing family members records accidentally	No case to answer	No	Not that we are aware of
		1	Non-Medical	Lost service user records	Written Warning	No	Not that we are aware of
		1	Medical	Inappropriate disclosure of information	Verbal Warning	No	Not that we are aware of
		1	Medical	Posted inappropriate information on a social media site	Final Written Warning	No	Not that we are aware of
Leeds Teaching Hospitals	48	4	Non-Medical	Breaching confidentiality	Dismissed	No	No
		40	Non-Medical	Breaching confidentiality	Disciplined Internally	No	No
		1	Non-Medical	Breaching confidentiality	Resigned during disciplinary process	Yes	No
		3	Information not provided	Alleged breach of confidentiality	No action	No	No
Liverpool Heart and Chest Hospital NHS	6	1	Non-Medical	Accessing colleagues & wife's IT records	Informal Counselling	No	No

Trust		1	Non-Medical	Allowing husband to access IT records (emails)	Informal Counselling	No	No
		1	Non-Medical	Putting patient information on social network site	Dismissed	No	No
		1	Non-Medical	Misuse of patient records	Investigated/Referred to NMC	Yes	No
		1	Non-Medical	Using login of an ex-employee	Informal/Management Instruction	No	No
		1	Non-Medical	Leaving personal/sensitive information unsecure	Management Instruction	No	No
Liverpool Womens' NHS Foundation Trust							
No DPA Breaches							
Mid Cheshire Hospitals NHS Foundation Trust	4	1	Medical	Accessed Personal Information	Informal Discussion, no formal action taken	No	No
		1	Non-Medical	Accessed Personal Information	Formally Disciplined	No	No
		1	Non-Medical	Accessed Personal Information	Information Discussion, no formal action taken	No	No

Mid Yorkshire Hospitals NHS Trust	15	1	Non-Medical	Passed information to a third party	Informal Discussion, no formal action taken	No	No
		1	Medical	Viewed patient records of a person who was not a patient.	Final Written Warning	No	No
		1	Non-Medical	Gave information to a third party relating to a patient's medical condition.	No case to answer.	No	No
		1	Medical	Passed information to third party.	Downgraded	No	No
		1	Medical	Accessed information on the internet regarding patient from a prison.	Informal Counselling	No	No
		1	Medical	Disclosed a patient's name on Facebook.	Resigned Prior to Hearing	Yes	No
		1	Non-Medical	Accessed patient record of a staff members' son at the request of the	Written Warning	No	No

			staff member.			
1	Medical	Confidential information disposed of by fly tipping.	Summary Dismissal	No	No	
1	Medical	Informed incorrect family that a patient had died.	Informal counselling	No	No	
1	Medical	Accessed patient record of family member and without consent.	Written Warning	No	No	
1	Non-Medical	Accessed & passed on appointment details to a family member.	Informal Counselling	No	No	
1	Medical	Information given to a relative without patient consent.	Written Warning	No	No	
1	Medical	Accessed a colleague's test results.	Written Warning	No	No	
1	Non-Medical	Disclosed staff information to a	Written Warning	No	No	

			third party.	Informal Counselling	No	No
			Disclosed staff information to a third party.			
			Accessed the patient record of a colleague's wife.	Written Warning	No	No
North Cumbria University Hospitals NHS Trust	9	1	Medical	Breach of policy	Disciplinary action	N/A
		4	Non-Medical	Breach of confidentiality	No action	N/A
		1	Non-Medical	Breach of confidentiality	Disciplinary action	N/A
		1	Medical	Breach of confidentiality	Disciplinary action	N/A
		1	Non-Medical	Breach of policy	Disciplinary action	N/A
		1	Non-Medical	Breach of policy	No action	N/A
North Tees and Hartlepool NHS Foundation Trust	10	2	Non-Medical	Passed information to third party	Dismissed	No
		1	Non-Medical	Passed information to third party	Verbal Warning	No
		3	Non-Medical	Passed information to third party	Final Written Warning	No
		1	Non-Medical	Accessed Personal	Final Written Warning	No

Northern Lincolnshire and Goole Hospital NHS Foundation Trust	161	1	Non-Medical	Information Potential risk of information being accessed by a third party due to loss of information outside of Trust	No further action	No	No
		1	Non-Medical	Potential risk of information being accessed by a third party due to loss of information outside of Trust	Verbal Warning	No	No
		1	Non-Medical	Passed information to third party	No further action	No	No
	161	1	Non-Medical	Allegations released confidential information	Hearing - dismissal	No	No
		1	Non-Medical	Allegations released confidential information	Hearing - warning	No	No
		1	Medical	Accessed confidential information	Hearing - Warning	No	No

Northumbria Healthcare NHS Foundation Trust	24	1	Non-Medical	Released confidential information to a third party	Hearing - Warning	No	No
		1	Non-Medical	Released confidential information to a third party	Hearing - dismissal	No	No
		1	Non-Medical	Inappropriate handling of patient information	Hearing - Warning	No	No
		155	Information not provided	Less serious IG incident	No disciplinary - appropriate action taken	No	No
	24	1	Non-Medical	Access staff record	Dismissal	No	No
		1	Medical	Breach of Patient Confidentiality	Final Written warning	No	No
		1	Medical	Failure to store records correctly	Final Written warning	No	No
		2	Non-Medical	Breach of Patient Confidentiality	Final Written warning	No	No
		1	Medical	Breach of Patient Confidentiality	First written warning	No	No
		7	Non-Medical	Breach of Patient Confidentiality	No case to answer	No	No
		3	Medical	Breach of Patient Confidentiality	No case to answer	No	No

Pennine Acute Hospital NHS Trust	35	1	Non-Medical	Breach of Patient Confidentiality	Final Written Warning	No	No
		1	Medical	Breach of Patient Confidentiality	Final Written warning	No	No
		1	Medical	Breach of Patient Confidentiality	Verbal warning	No	No
		1	Non-Medical	Breach of Patient Confidentiality	First written warning	No	No
		3	Medical	Breach of Patient Confidentiality	Dismissal	No	No
		1	Non-Medical	Breach of Patient Confidentiality	Case not concluded	No	Information not provided
		3	Medical	Breach of confidentiality	Disciplinary sanction awarded	No	No
	35	8	Non-medical	Breach of confidentiality	Disciplinary sanction awarded	No	No
		2	Non-medical	Breach of confidentiality	Informal action	No	No
		1	Non-medical	Breach of confidentiality	Investigated /No case to answer	No	No
		3	Non-Medical	Breach of confidentiality	No case to answer	No	No
		7	Non-Medical	Breach of user name or password	Disciplinary sanction awarded	No	No
		1	Non-Medical	Breach of user name or	Disciplinary sanction awarded. Contract	No	No

			password	terminated.		
	1	Medical	Breach of user name or password	Disciplinary sanction awarded. Contract terminated.	No	No
	1	Non-Medical	Breach of user name or password	Informal action	No	No
	1	Medical	Breach of user name or password	Informal action	No	No
	1	Non-Medical	Breach of user name or password	Investigation ongoing	No	No
	2	Non-Medical	Breach of user name or password	No case to answer	No	No
	1	Medical	Breach of user name or password	no formal action	No	No
	1	Non-Medical	Breach of user name or password	no formal action	No	No
	2	Non-Medical	Breach of user name or password	Referred to hearing	No	No
Royal Bolton Hospital NHS Foundation			Did not respond to FOI			

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Trust							
Royal Liverpool and Broadgreen University Hospitals NHS Trust	153	1	Information not provided	Information not provided	Disciplined internally	No	No
		152	Information not provided	Information not provided	No action	No	No
Salford Royal NHS Foundation Trust	22	1	Non-Medical	Unauthorised access of colleague and family records	Dismissal	N/A	
		1	Non-Medical	Breach of confidentiality	First Warning	N/A	
		1	Non-Medical	Inappropriate use of hospital record	First Warning	N/A	
		1	Non-Medical	Fail to follow procedure and made request to create false appointment	Single and Final Warning	N/A	
		1	Non-Medical	Breach of access control policy	Single and Final Warning	N/A	
		1	Non-Medical	Breach of IG Code of Practice	Dismissal	N/A	
		1	Non-Medical	Shared password	Single and Final Warning	N/A	
		1	Non-Medical	Shared password	First Warning	N/A	
		1	Non-Medical	Breach of patient	First Warning	N/A	

				confidentiality			
				Unauthorised access + booking misuse			
				Single and Final Warning			
				N/A			
				Access own record			
				First Warning			
				Unauthorised access of EPR			
				Single and Final Warning			
				N/A			
				Breach of confidentiality			
				No action			
				N/A			
				Access own record			
				First Warning			
				N/A			
				Did not respond to FOI			
				Did not respond to FOI			
				Did not respond to FOI			
Scarborough and North East Yorkshire Healthcare NHS Trust							
Sheffield Children's NHS Foundation Trust							
Sheffield Teaching Hospitals NHS Foundation Trust							

1	Non-Medical	Breach Confidential	Stage 3 FWW	No	No
1	Non-Medical	Breach Confidential	Stage 3 Final Written Warning	No	No
5	Non-Medical	Breach Confidential	FWW	No	No
1	Non-Medical	Breach Confidential	Retired	No	No
1	Non-Medical	Breach Confidential	Final Written Warning	No	No
2	Non-Medical	Breach Confidential	2nd Stage warning	No	No
1	Non-Medical	Breach Confidential	Allegations unfounded	No	No
3	Non-Medical	Breach Confidential	Stage 2 warning	No	No
1	Non-Medical	Breach Confidential	Oral Warning	No	No
1	Non-Medical	Breach Confidential	Current investigation	No	No
2	Non-Medical	Breach Confidential	Resigned	Yes	No
1	Non-Medical	Breach Confidential	Resigned prior to disciplinary hearing	Yes	No
4	Information not provided	Breach Confidential	No case to answer	No	No
2	Information not provided	Breach Confidential	No formal action taken	No	No

South Tees Hospital NHS Trust	12	1	Medical	Unauthorised alteration of patient record	Disciplinary	No	No
		1	Medical	Unauthorised access to information	Disciplinary	No	No
		7	Non-Medical	Unauthorised access to information	Disciplinary	No	No
		1	Non-Medical	Failed to ensure security of information	Disciplinary	No	No
		2	Non-Medical	Inappropriate disclosure of person identifiable information	Disciplinary	No	No
South Tyneside NHS Foundation Trust	4	1	Non-Medical	Accessed personal information for personal interest via PAS	Employment Terminated	No	No
		3	Non-Medical	Accessed personal information for personal interest via PAS	Disciplined Internally	No	No
Southport and Ormskirk	5	1	Non-Medical	Van stolen while transporting	Information withheld under Section 40(2)		

**Hospital NHS
Trust**

		medical equipment between sites which also contained patient records
1	Non-Medical	Unauthorised access on third party system
1	Medical	Report to Trust Development Authority contained patient identifiers
1	Medical	Audit report contained information not fully anonymised which was sent to wrong NHSmail addressed and copied to personal account
1	Non-Medical	Patient letter contained the letters of 4 other individuals

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St Helens and Knowsley Hospitals NHS Trust	No convictions or resignations. However the remainder of the information was withheld under Section 40(2)						
Stockport NHS Foundation Trust	11	2	Non-Medical	Passed information to a third party	Disciplinary Action	No	No
		6	Non-Medical	Accessed personal information	Disciplinary Action	No	No
		1	Non-Medical	Failure to safeguard personal information	Counselled	No	No
		2	Non-Medical	Accessed personal information	Counselled	No	No
Tameside Hospital NHS Foundation Trust	10	1	Admin	Sending emails from Trust account to personal email address containing personal information	Final Written Warning	No	No
		1	Admin	Sending emails containing confidential information to a	Final Written Warning	No	No

		supplier				
		1	Admin	Inappropriate access of Medway	Final Written action	No No
		1	Admin	Inappropriate access of Medway	Informal Action	No No
		1	Medical	Inappropriate access of Medway	Informal Action	No No
		1	Medical	Patient documentation left in unsecure place	Informal Action	No No
		1	Admin	Inappropriate access of Medway	No case to answer	No No
		2	Medical	Inappropriate access of Medway	No case to answer	No No
		1	Medical	Requesting patient information	No case to answer	No No
The Newcastle Upon Tyne Hospitals NHS Foundation Trust	22	2	Non-Medical	Accessed personal information.	Formal Action Other	No Unknown
		3	Non-Medical	Accessed personal	Final Written Warning	No Unknown

		information.				
1	Medical	Passed information to third party	Formal Action Other	No	Unknown	
1	Non-Medical	Accessed personal information.	Not Proven- No Action	No	Unknown	
1	Non-Medical	Passed information to third party	Verbal Warning	No	Unknown	
1	Non-Medical	Passed information to third party	Final Written Warning	No	Unknown	
4	Non-Medical	Breach of patient confidentiality	Written Warning	No	Unknown	
2	Non-Medical	Breach of patient confidentiality	Verbal Warning	No	Unknown	
2	Non-Medical	Accessed personal information.	Summary Dismissal	No	Unknown	
1	Non-Medical	Breach of patient confidentiality	Informal –No Action	No	Unknown	
2	Non-Medical	Breach of patient confidentiality	Final Written Warning	No	Unknown	
1	Non-Medical	Breach of patient confidentiality	Summary Dismissal	No	Unknown	
1	Non-Medical	Accessed personal information.	Written Warning	No	Unknown	

The Rotherham NHS Foundation Trust	10	2	Non-Medical	Breach of confidentiality	Verbal Warning	No	No
		2	Non-Medical	Breach of confidentiality	Other formal action	No	No
		3	Non-Medical	Breach of confidentiality	Final Written Warning	No	No
		3	Non-Medical	Breach of confidentiality	Suspended	No	No
The Christie NHS Foundation Trust		Less than 5 instances, information withheld under Section 40(2)					
Trafford Healthcare NHS Trust		See Central Manchester University Foundation Trust					
United Lincolnshire Hospitals NHS Trust		No DPA Breaches					
University Hospital Of South Manchester NHS Foundation Trust	7	1	Non-Medical	Breach of confidentiality	No case to answer	Not applicable	Not applicable
		3	Non-Medical	Breach of confidentiality	Written warning	Not applicable	Not applicable
		1	Non-Medical	Breach of confidentiality	Final written warning	Not applicable	Not applicable
		2	Non-Medical	Breach of confidentiality	Dismissed/contract terminated	Not applicable	Not applicable
University Hospitals Of	26	1	Non-Medical	Breach of staff confidentiality -	First written warning	No	No

Morecambe Bay NHS Trust			use of smart card			
	1	Non-Medical	Breach of patient confidentiality	No action taken	No	No
	1	Non-Medical	Access of family records	Informal Counselling	No	No
	1	Non-Medical	Breach of patient confidentiality	Final written warning	No	No
	1	Non-Medical	Accessed patients records of a colleague	First written warning	No	No
	1	Non-Medical	Breach of confidentiality - accessing records of a colleague	No case to answer - No Action Taken	No	No
	2	Non-Medical	Accessing patient records on Lorenzo	Final written warning	No	No
	1	Non-Medical	Manager of staff who accessed patient records	First written warning	No	No
	1	Non-Medical	Breach of confidentiality	No case to answer - No Action Taken	No	No
	1	Non-Medical	Breach of confidentiality	Investigation undertaken. No disciplinary sanction applied (unable to ascertain who sent photo)	No	No

1	Non-Medical	Breach of confidentiality	No case to answer - No Action Taken	No	No
1	Non-Medical	Divulging information about an investigation	No case to answer	No	No
1	Non-Medical	Breach of confidentiality	Dismissed	No information recorded	No information recorded
1	Non-Medical	Breach of confidentiality	Final written warning	No	No
1	Non-Medical	Breach of confidentiality - sharing computer password	No case to answer - No action taken	Yes	No
1	Medical	Breach of confidentiality - sharing computer password	No formal action taken	No	No
2	Non-Medical	Breach of confidentiality - use of smart card	No case to answer - No action taken	No	No
2	Non-Medical	Breach of confidentiality - comments about patient on Facebook	Final written warning	No	No

1	Non-Medical	Accessing patient's Lorenzo Records	Disciplinary Hearing to be arranged	TBC	TBC
1	Non-Medical	Breach of confidentiality - complaint submitted from member of staff	No formal action taken	No	No
1	Non-Medical	Breach of social networking guidance, confidentiality and code of practice	Final written warning	No	No
1	Non-Medical	Breach of confidentiality - accessing patient information	Final written warning	No	No
1	Non-Medical	Breach of confidentiality	No disciplinary sanction issued, formal meeting took place with individual and manager to feedback report and look at lessons learned.	No	No
Walton Centre For Neurology		No response to FOI			

and Neurosurgery NHS Trust							
Warrington and Halton Hospitals NHS Foundation Trust	4	1	Non-Medical	Information not provided	Resigned prior to dismissal	Yes	No
		3	Non-Medical	Information not provided	Disciplined internally	No	No
Wirral University Teaching Hospital NHS Foundation Trust	6	1	Non-Medical	Passed information to 3rd Party	Single Stage Final Warning	No	No
		1	Non-Medical	Discussed information with third party	First Written Warning with re-training	No	No
		1	Non-Medical	Passed information to third party	Verbal Warning	No	No
		1	Non-Medical	Falsifying of records	Disciplinary Counselling	No	No
		1	Non-Medical	Mislaidd Paperwork	Written Warning	No	No
		1	Non-Medical	Accessing staff member's record	No formal action - Informal Discussion	No	No
Wrightington, Wigan and Leigh NHS Foundation Trust	15	1	Non-Medical	Breach of Confidentiality, Inappropriate Access of patient details, May have passed	Disciplined	No	No

			information to a 3rd party			
2	Non-Medical	Breach of confidentiality	Disciplined	No	No	
3	Non-Medical	Permitted another employee to log in to access his/her own records	Disciplined	No	No	
1	Non-Medical	Breach of Confidentiality, unauthorised Access of own and patient records	Disciplined	No	No	
1	Non-Medical	Breach of Confidentiality	Dealt with informally	No	No	
1	Non-Medical	Breach of confidentiality accessing EPR inappropriately	Dismissed	No	No	
1	Non-Medical	Breach of patient confidentiality; inappropriately accessed personal information relating to a	Disciplined	No	No	

		patient; deliberately disclosing privileged and/or confidential information to an unauthorised person.			
1	Non-Medical	Disclosed confidential information relating to a patient and Trust employees to unauthorised persons	Disciplined	No	No
1	Non-Medical	Inappropriately accessed patient records	Disciplined	No	No
1	Non-Medical	Breach of patient confidentiality	Ongoing	N/A	N/A
2	Non-Medical	Accessing patient records of others known to him/her not in course of role	Dealt with informally	No	No
York Hospitals NHS Foundation		Did not respond to FOI			

Trust							
Mental Health							
5 Boroughs Partnership NHS Trust (Mental Health)	87	87	Information not provided	Information not provided - classed as a Level 1 Incident	Information not provided	No	No
Bradford District Care Trust (Mental Health)	280	86	Information not provided	Breach of Confidentiality (Not Service User)	No Action	No	No
		194	Information not provided	Breach of Confidentiality (Service User)	No Action	No	No
Calderstones NHS Trust (Mental Health)	2	1	Information not provided	Information not provided	No Action	No	No
		1	Non-Medical	Placed client information on social media	1st written warning	No	No
Cheshire and Wirral Partnership NHS Foundation Trust (Mental Health)	26	3	Medical	Access to personal information	Disciplinary investigation - no action	No	No
		1	Non-Medical	Access to personal information	Disciplinary investigation - no action	No	No
		3	Non-Medical	Access to personal information	Disciplinary investigation - warning	No	No
		2	Medical	Access to personal	Disciplinary investigation -	No	No

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				information	warning		
				Breach of confidentiality via social media	Disciplinary investigation - warning		
				Breach of confidentiality via social media	Disciplinary investigation - no action		
				Breach of patient confidentiality	Disciplinary investigation - warning		
				Breach of patient confidentiality	Disciplinary investigation - warning		
				Breach of patient confidentiality	Disciplinary investigation - no action		
				Breach of patient confidentiality	Disciplinary investigation - no action		
				Breach of staff confidentiality	Disciplinary investigation - warning		
				Breach of staff confidentiality	Disciplinary investigation - warning		
Cumbria Partnership NHS Foundation	10	1	Non-Medical	Alleged breach of confidentiality re service users file to service	Investigated but did not progress to disciplinary hearing	No	No

Trust (Mental Health)	users son					
	1	Non-Medical	Unauthorised access to colleagues email account	Disciplinary Warning	No	No
	1	Non-Medical	Leaving pc unlocked	Disciplinary Hearing (no sanction)	No	No
	1	Non-Medical	Tampering & falsification of patient record	Disciplinary Warning	No	No
	1	Non-Medical	Failure to carry out the correct disposal of records	Disciplinary Warning	No	No
	1	Non-Medical	Allegation of accessing relatives medical notes without permission	Disciplinary Hearing (no sanction)	No	No
	1	Non-Medical	Breach of IG and security re accessing patient records	Suspended & Disciplinary Warning	No	No
	1	Non-Medical	Access patient records for unauthorised purposes using someone else's	Suspended & Disciplinary Warning	No	No

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Greater Manchester West Mental Health NHS Foundation Trust	6		password			
		1	Non-Medical	Removed and destroyed patient notes	Disciplinary Warning	No No
		1	Non-Medical	Failure to carry out the correct disposal of deceased patient records	Disciplinary Warning	No No
		1	Non-Medical	Allegedly, accessed a family member's electronic patient record.	Investigation ongoing	No No
		1	Non-Medical	Left a database printout containing patient information on a bus.	Non-due to resignation,.	Yes No
		1	Non-Medical	Accessed electronic patient record of an ex-boyfriend of their daughter.	Final written warning	No No
		1	Non-Medical	Discussed patient information in a public house in	Final written warning	No No

				an unprofessional manner.			
				Accessed electronic patient record of an ex-partner with who she had an abusive relationship.			
				1		Non-Medical	
				Final written warning		No	
				No		No	
				Allowed a student nurse to undertake clinic work without undertaking the appropriate authorisation process for students to access patients and patient information.			
				1		Non-Medical	
				Final written warning		No	
				No		No	
				No		No	
Humber Mental Health Teaching NHS Trust	100			Accidentally disclosed personal information to a third party			
				1		Non-Medical	
				Interviewed by CIO to ensure lessons learnt and meeting recorded in Human Resources records		No	
				Unauthorised disclosure to a third party			
				1		Non-Medical	
				Interviewed by CIO to ensure lessons learnt and meeting		No	

			recorded in Human Resources records		
1	Non-Medical	Records lost/stolen from staff member car	Interviewed by CIO to ensure lessons learnt and meeting recorded in Human Resources records	No	No
15	Information not provided	Disclosed in error	Information not provided		
14	Information not provided	Lost or stolen paperwork	Information not provided		
1	Information not provided	Unauthorised access/disclosure	Information not provided		
49	Information not provided	Other	Information not provided		
6	Information not provided	Loss/theft of inadequately protected electronic equipment, devices or paper documents from outside secured NHS premises	Information not provided		
2	Information not provided	Loss/theft of inadequately protected	Information not provided		

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			electronic equipment, devices or paper documents from secured NHS premises			
		10	Information not provided	Unauthorised disclosure	Information not provided	
Lancashire Care NHS Foundation Trust (Mental Health)	4	1	Non-Medical	Unauthorised access to patient records	Suspended. Dismissed at hearing,	No No
		1	Non-Medical	Unauthorised emailed patient identifiable information to a personal email address	Informal Action	No No
		1	Non-Medical	Unauthorised access and disclosure to a third party	Suspended. Issued with final written warning	No No
		1	Non-Medical	Accessed own patient record	Dismissed. Appealed. Reinstated	No No
		Leeds Partnerships NHS Foundation Trust (Mental		Did not respond to FOI		

Health)							
Lincolnshire Partnership NHS Foundation Trust (Mental Health)	6	1	Non-Medical	Withheld - Section 40 (2)	Employment Terminated	No	No
		2	Non-Medical	Withheld - Section 40 (2)	Disciplined Internally	No	No
		1	Non-Medical	Withheld - Section 40 (2)	Resigned	Yes	No
		1	Non-Medical	Withheld - Section 40 (2)	No Action	No	No
		1	Non-Medical	Withheld - Section 40 (2)	No Action	No	No
Manchester Mental Health and Social Care Trust	7	1	Non-Medical	Breached patient confidentiality	Written warning issued	No	No
		2	Non-Medical	Disclosure of information	Remedial action/training	No	No
		1	Non-Medical	Inappropriate access to information	Dismissal	No	No
		2	Non-Medical	Breached patient confidentiality	Remedial action/training	No	No
		1	Non-Medical	Inappropriate access to information	Dismissal	No	No
Mersey Care NHS Trust (Mental Health)	29	29	Information not provided	Information not provided	No disciplinary action	No	No

Northumberland, Tyne and Wear NHS Trust (Mental Health)	33	1	Medical	Accessed own record	Written Warning	No	No
		1	Medical	Breach of confidentiality	Written Warning	No	No
		1	Non-Medical	Accessed own record	Written Warning	No	No
		1	Non-Medical	Breach of IT policy	Informal Action	No	No
		1	Non-Medical	Inappropriate access of patient record	Downgraded	No	No
		4	Non-Medical	Inappropriate access of patient record	Final Written Warning	No	No
		1	Non-Medical	Inappropriate access of patient record	Further Investigation	No	No
		1	Non-Medical	Inappropriate access of patient record	No Case to Answer	No	No
		2	Non-Medical	Inappropriate access of patient record	Summary Dismissal	No	No
		5	Non-Medical	Inappropriate access of patient record	Written Warning	No	No
		2	Non-Medical	Inappropriate use of social media	Final Written Warning	No	No

1	Non-Medical	Inappropriate use of social media	Written Warning	No	No
1	Non-Medical	Information Governance breach	Case Not Proven	No	No
1	Non-Medical	Information Governance breach	Final Written Warning	No	No
3	Non-Medical	Information Governance breach	Informal Action	No	No
1	Non-Medical	Information Governance breach	No Case to answer	No	No
1	Non-Medical	Information Governance breach	Summary Dismissal	No	No
1	Non-Medical	Information Governance breach	Written Warning	No	No
1	Non-Medical	Named patient to 3rd party	Case Not Proven	No	No
1	Non-Medical	Named patient to 3rd party	Written Warning	No	No
1	Non-Medical	Potential Data Loss	No Case to answer	No	No
1	Non-Medical	Removal of records	Written Warning	No	No

Pennine Care NHS Foundation Trust (Mental Health)	8	1	Medical	Breach of DPA	Investigation currently underway	No	N/A
		2	Non-Medical	Accessing patient data	Investigation currently underway	No	N/A
		2	Non-Medical	Disclosed patient address to 3rd party	Investigation undertaken. Insufficient evidence for hearing	No	Unknown
		1	Non-Medical	Disclosed medical facts of a patient	Dismissed from employment	No	Unknown
		1	Non-medical	Encouraged staff to view MARS application of another staff member	No Case to answer – office gossip	No	No
		1	Medical	Emailed personal data of school children to wrong school	Investigation underway	No	N/A
Rotherham, Doncaster and South Humber Mental Health NHS Foundation Trust	18	5	Non-Medical	Accessed patient record without cause	Disciplinary - First Written Warning	No	No
		1	Non-Medical	Left sensitive documentation in public area	Disciplinary - Improvement Notice	No	No
		1	Non-Medical	Discussed patient with third party	Disciplinary - Dismissal	No	No
		2	Non-Medical	Left sensitive	Disciplinary - First	No	No

				documentation in public area	Written Warning				
				1	Non-Medical	Accessed patient record without cause and shared with third party	Disciplinary - First Written Warning	No	No
				1	Non-Medical	Accessed patient record without cause and shared with third party	Disciplinary - Improvement Notice	No	No
				6	Non-Medical	Accessed patient record without cause	Disciplinary - Improvement Notice	No	No
				1	Non-Medical	Accessed staff records and shared with third party	Disciplinary - Improvement Notice	No	No
Sheffield Health and Social Care NHS Foundation Trust (Mental Health)	16	16	16 breaches that have not led to disciplinary action						
South West Yorkshire Partnership	869	863	863 cases where no disciplinary action was taken						
		1	Non-Medical	In relation to photocopied	Employment Terminated	No	No		

NHS Foundation Trust (Mental Health)			healthcare records belonging to a child				
		1	Non-Medical	Assessing their own records	Disciplined internally	No	No
		1	Non-Medical	Breaching confidentiality	Disciplined internally	No	No
		1	Non-Medical	Taking patient records home	Disciplined internally	No	No
		1	Non-Medical	Photocopied health care records belonging to a child	Disciplined internally	No	No
		1	Non-Medical	Attended a training session with notes pertaining to an individual	No Action	No	No
Tees, Esk and Wear Valleys NHS Foundation Trust (Mental Health)							
Did not respond to FOI							
Ambulance							
North East Ambulance	2	1	Information not provided	Did not gain consent for	Employment Terminated	No	No

Service NHS Trust		disclosure				
		1	Information not provided	Information not provided	No action	No
North West Ambulance Service NHS Trust				No DPA Breaches		
Yorkshire Ambulance Service NHS Trust	4	2	Medical	Staff member inappropriately shared personal identifiable information for personal reasons	Disciplinary action taken	No
		2	Medical	Staff member inappropriately accessed personal identifiable information for personal reasons	Disciplinary action taken	No
Total	2,333	2,333			13	0

Table 6: Regional Breakdown – Scotland

All figures are for the years 2011 to 2014 unless otherwise indicated. All figures relating to Clinical Commissioning Groups (CCGs) are for 2013-2014.

Organisation	Number of Data Breaches	Number of Occurrences	Medical/Non-Medical	Outline of DPA breach	Action taken	Resignation	Conviction
Acute Trusts							
NHS Ayrshire and Arran	108	82	Not Stated	Accessed own records	No action	No	No
		11	Not Stated	Minor Breach - viewed as error	No action	No	No
		1	Non-Medical	Not Stated	Employment Terminated	No	No
		1	Non-Medical	Not Stated	Resigned during disciplinary proceedings	Yes	No
		13	Non-Medical	Not Stated	Disciplined Internally	No	No
NHS Borders³²	180	175	Information not Provided	Information not Provided	No Disciplinary Action	No	No
		1	Non-Medical	Accessed personal information for personal interest	First & final written warning issued	No	No
		1	Non-Medical	Loss of personal information/patient records	First written warning	No	No
		1	Non-Medical	Passed information to third party	Dismissal	No	No

³² Results for April 2012 onwards.

		2	Non-Medical	Accessed information for personal interest	First & final written warning issued	No	No
NHS Dumfries and Galloway	28	1	Non-Medical	Breach of confidentiality	None	No	No
		4	Non-Medical	Breach of confidentiality	Disciplinary Sanction Applied	No	No
		5	Non-Medical	Breach of confidentiality	No Further Action	No	No
		4	Non-Medical	Fair Warning	Disciplinary Sanction Applied	No	No
		4	Non-Medical	Fair Warning	No Further Action	No	No
		10	Non-Medical	Fair Warning	On-going	N/A	N/A
NHS Fife	79	4	Non-Medical	Inappropriate access to staff or patient records	Dismissed	No	No
		54	Non-Medical	Information not broken down	Disciplined Internally	No	No
		3	Medical	Information not broken down	Disciplined Internally	No	No
		6	Non-Medical	Information not provided	Resigned	Yes	No
		1	Medical	Information not provided	Counselling	No	No
		11	Non-Medical	Information not provided	Counselling	No	No
NHS Forth Valley	26	1	Medical	Inappropriate access to own or	Ongoing	No	No

			other patient's records			
1	Medical	Misuse of social media	Counselling	No	No	
1	Non-Medical	Misuse of social media	No case to answer	No	No	
1	Non-Medical	Breach of confidentiality	Counselling	No	No	
4	Non-Medical	Misuse of social media	First Written Warning	No	No	
3	Non-Medical	Misuse of social media	Final Written Warning	No	No	
1	Non-Medical	Breach of confidentiality	No case to answer	No	No	
1	Non-Medical	Breach of confidentiality	First and Final Written warning	No	No	
1	Non-Medical	Inappropriate access to own or other patient's records	Dismissed	No	No	
2	Non-Medical	Inappropriate access to own or other patient's records	First and Final Written warning	No	No	
2	Non-Medical	Inappropriate access to own or other patient's records	Training	No	No	

		1	Non-Medical	Misuse of social media	Counselling	No	No
		1	Non-Medical	Inappropriate access to own or other patient's records	Counselling	No	No
		1	Non-Medical	Breach of confidentiality	Dismissed	No	No
		2	Non-Medical	Misuse of social media	Dismissed	No	No
		1	Non-Medical	Breach of confidentiality	Counselling	No	No
		1	Non-Medical	Breach of confidentiality	No Case	No	No
		1	Non-Medical	Covertly filming staff	Final Written Warning	No	No
		1	Medical	Inappropriate disposal of clinical information	Disciplinary warning	No	No
		1	Medical	Inappropriate accessing of patient information	Disciplinary warning	No	No
		2	Non-Medical	Inappropriate accessing of information system using colleague's login	Dismissal	No	No
NHS Grampian	23	1	Non-Medical	Use of non-NHS equipment to	Disciplinary warning	No	No

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transfer data						
1	Non-Medical	Inappropriate sharing of patient information with a third party	Disciplinary warning	No	No	
1	Non-Medical	Inappropriate accessing of patient information	Disciplinary warning	No	No	
2	Non-Medical	Breach of NHS Code of Practice on Protecting Patient Confidentiality	Disciplinary warning	No	No	
6	Non-Medical	Inappropriate accessing of IT system and sharing of confidential information with a third party	Disciplinary warning	No	No	
1	Non-Medical	Inappropriate accessing of IT system	Disciplinary action	No	No	
1	Non-Medical	Inappropriate accessing of patient data	Dismissal (other non-DPA offences included)	No	No	
1	Non-Medical	Inappropriate accessing of IT system and sharing	Suspended	Yes	No	

			of confidential information with a third party			
		1	Non-Medical	Inappropriate accessing of IT system and sharing of confidential information with a third party	Under investigation	Yes No
		1	Non-Medical	Inappropriate sharing of patient information with a third party	Suspended - no disciplinary	No No
		1	Non-Medical	Inappropriate accessing of patient information	Informal Standard Setting	No No
		1	Medical	Inappropriate accessing of patient information	Informal action and training on Information Governance	No No
		1	Medical	Inappropriate accessing of patient information	Informal action	No No
		2	Non-Medical	Inappropriate record access by staff member	Dismissal/Termination of Contract	No No
NHS Greater Glasgow and Clyde	7	1	Non-Medical	Inappropriate record access by staff member	First and Final Written warning	No No

		1	Medical	Personal laptop stolen with patient data	First and Final Written warning	No	No
		1	Non-Medical	Memory stick containing data lost (unencrypted)	First written warning, following appeal	No	No
		1	Non-Medical	Case files for patients found at bus stop	Person from agency. No longer working for NHS GG&C	No	No
		1	Non-Medical	Patient files left in car. Car broken into	S. 17 - information not held	No	No
NHS Highland	4	1	Information not Provided	Information not Provided	Information not broken down: 2 no action, 1 resignation and 1 internally disciplined		No
		1	Information not Provided	Information not Provided			No
		1	Information not Provided	Disclosure of confidential information to unauthorised persons			No
		1	Information not Provided	Breach of Patient Security Procedures			No
NHS Lothian	124	20	Medical	Apparently accessed information for personal interest	Disciplinary Action	None	None
		3	Medical	Apparently	Counselling	None	None

		accessed information for personal interest			
2	Medical	Apparently accessed information for personal interest	Referral to GMC	None	None
2	Medical	Apparently accessed information for personal interest	Letter	None	None
1	Medical	Apparently accessed information for personal interest	Ongoing	None	None
12	Medical	Apparently accessed information for personal interest	No Action	None	None
60	Non-Medical	Apparently accessed information for personal interest	Disciplinary Action	3	1 court case pending
1	Non-Medical	Apparently accessed information for personal interest	Employment Terminated		
1	Non-Medical	Apparently accessed	Referral to Disciplinary Hearing		

NHS Lanarkshire	14		information for personal interest			
		3	Non-Medical	Apparently accessed information for personal interest	Counselling	
		15	Non-Medical	Apparently accessed information for personal interest	No Action	
		2	Non-Medical	Inappropriately shared information with third party	Disciplinary Action	Information not provided
		1	Non-Medical	Used mobile phone to take picture of a patient-identifiable record	Disciplinary Action	Information not provided
		1	Non-Medical	Allowed others to log in to own record/account	Counselling	Information not provided
		3	Non-Medical	Accessed personal information for personal interest	Formal Disciplinary	No
		1	Non-Medical	Accessed personal information for personal interest	Formal Disciplinary	Yes
		2	Non-Medical	Inappropriate record keeping	No Action	Yes
						Refused - Cost and Time
						Refused - Cost and Time
						Refused - Cost and

				Breach of patient/employee confidentiality	Formal Disciplinary	No	Time Refused - Cost and Time
		1	Non-Medical	Breach of patient/employee confidentiality	No Action	No	Refused - Cost and Time
		7	Non-Medical	Breach of patient/employee confidentiality	No Action	No	Refused - Cost and Time
NHS Orkney	30	1	Non-Medical	Passed information to a 3rd party	Dismissed	No	No
		1	Non-Medical	Disclosed patient information out with job remit	Disciplined	No	No
		28	Information not Provided	Data Protection Breach	Members of staff involved reminded of the need for vigilance and their responsibilities under the Data Protection Act	No	No
NHS Shetland	3	1	Non-Medical	Shared personal employee information with a third party	Investigation. Disciplinary action	No	No
1		Non-Medical	Shared personal employee information with a third party	Investigation. No formal action	No	No	
1		Non-Medical	Shared personal employee	Suspended. Investigation. No	No	No	

			information with a third party	formal action		
NHS Tayside			Did not respond to FOI			
NHS Western Isles			No DPA Breaches			
Ambulance						
Scottish Ambulance Service	8	1	Operational	Posting details of a call out on Facebook	First and Final written warning	No No
		1	Medical	An inappropriate post of a photograph of a patient on Facebook	Dismissed	No No
		1	Operational	Laptop and sensitive information left in car and subsequently stolen	Disciplinary Hearing	No No
		5	Information not provided	Laptop stolen from car	No action	No No
Total	634	634				12 0

Table 7: Regional Breakdown – Northern Ireland

All figures are for the years 2011 to 2014 unless otherwise indicated. All figures relating to Clinical Commissioning Groups (CCGs) are for 2013-2014.

Organisation	Number of Data Breaches	Number of Occurrence	Medical/Non-Medical	Outline of DPA breach	Action taken	Resignation	Conviction
Acute Trusts							
Belfast Health and Social Care Trust	67	1	Medical	Encrypted Laptop stolen from a former member of staff. Contained patients names and DOB from 2007 - 2012 for former member to complete their log book for medical training.		No	No
		1	Non-Medical	Counselling referral form completed by Patient A was sent in error to Patient B (instead of receiving a blank form). Patient B returned the form.		No	No

1	Non-Medical	An appointment letter was sent to the wrong address but the name was correct. A new staff member used an old template which contained an out of date address that had not been changed to the current one.		No	No
1	Non-Medical	Information was sought in respect of a patient and provided to a third party. The information was sourced by a member of staff.	disciplinary	No	No
1	Non-Medical	Information was sought and provided to a 3rd party. The information was sourced by an auxiliary member of staff.	disciplinary	No	No

1	Medical	A Doctor's car was broken into during the night. A briefcase, containing the notes of a former patient, was stolen from back of the car. The incident was reported to the PSNI and briefcase was found unopened.	No	No
1	Non-Medical	An email was sent to a complainant containing details belonging to another complainant. Name, address, contact number and referral appointment details were contained. The email should have been sent to a Service Manager instead.	No	No

1	Non-Medical	Staff member's home broken into and bag and car keys stolen. Car taken but now recovered. Diary in car containing patient information, case conference report, Trust ID and a prescription book. All relevant information recovered.	No	No
1	Non-Medical	Confidential documents relating to staff member's disciplinary proceeding were posted to correct staff member but wrong house number. Staff member's neighbour signed for parcel but subsequently	No	No

		delivered it to staff member's address. Parcel had been opened prior to receipt by staff member.			
1	Non-Medical	Information within a subject access request contained 3 documents belonging to other patients.		No	No
1	Non-Medical	patient data found in private rented house, previous tenant was a member of Trust staff	ongoing	No	No
1	Non-Medical	Letter sent to client stating they were being transferred to another Family support Team. Wrong house number typed on the letter and posted to wrong address. No		No	No

		sensitive information included.		
1	Non-Medical	Support worker lost personal work diary whilst on duty. Diary contained limited personal data. Phone numbers for colleagues also in diary.	No	No
1	Non-Medical	Staff photographer mislaid 38 sheets of limited patient information taken to medical centre as part of this service. Sheets contained patient name, GP practice and DOB. Sheets carried in envelope in and out of medical centre.	No	No

1	Non-Medical	5 letters to GP with clients names, addresses dob and results from attending a Screening Assessment Clinic were sent to a client instead of the GP. Information was handed into GP receptionist.	No	No
1	Non-Medical	A Client's review minutes were posted to wrong address. Review minutes were retrieved promptly by Trust staff.	No	No
1	Non-Medical	The RVH inserting machine for appointment letters settings were changed to include an information leaflet. Setting were not	No	No

changed back which led to the next bundle of letters inserting 2 different appointment letters into the one envelope. A number of patients received two appointment letters one for another person.

1

Non-Medical

A patient attending Ward was given notes to bring with her. These should have been her own notes, however on arrival it was discovered the she had actually been given the notes of a different patient. The notes had apparently not been placed in a

No

No

		bag or sealed envelope.		
1	Non-Medical	Social worker's home broken into at night and car stolen. All contents appeared to be recovered, mostly intact. PSNI have advised that two people are undergoing criminal proceedings in relation to the incident.	No	No
1	Non-Medical	Staff member inadvertently included a BHSCCT patient name and medical condition in a training slide to 40-50 QUB students during a lecture in QUB.	No	No

1	Non-Medical	Transport driver collected bags containing records from pickup point in hospital. Driver left van to collect second bag of records at another pick up point on-site. On returning to van it was discovered first bag had been stolen. Bag recovered later in a public area, by staff.	No	No
1	Non-Medical	Set of original records for a deceased patient have been lost between Trust and Altnagelvin Hospital	no	no
1	Non-Medical	Mis-forwarding of young person's clinical notes to Solicitors by service. Solicitors	no	no

			had requested notes belonging to another young person attending this Trust Service. Solicitor contacted Trust to say that another set had been sent instead.			
1	Non-Medical		In response to a subject access request an individual received their own information and one sheet belonging to another patient.		no	no
1	Non-Medical		A complaint was received from the husband of a patient relating to a member of staff having access to her husband's test results via hospital systems unnecessarily.	disciplinary	no	no

1	Medical	15 pages of data related to oncology patients dropped in street. All pages handed into nearby pharmacy by member of public then passed to GP practice. Pages then sent to Cancer Centre BCH	disciplinary	no	no
1	Non-Medical	Advocate subject access request - information sent to advocate and not individual concerned		no	no
1	Non-Medical	Deceased patient notes sent to a doctor's home address to obtain statement in relation to HM Coroners proceedings. Doctor no longer at address, rental		no	no

		company had contacted doctor and eventually returned them to Trust.			
1	Non-Medical	The HSC Board were contacted regarding a potential breach of data protection relating to medical reports. It was alleged that 29 "records" were held off site and the records were "owned" by a member of Belfast Trust staff.	disciplinary	no	no
1	Non-Medical	Whilst on duty, a District Nurse had her car broken into and her work satchel stolen. This satchel contained: - 2 sets of patient notes (District Nursing), 10 duplicate		no	no

		carbon copies of nurse prescribing sheets.		
1	Non-Medical	As part of a subject access request Mental Health administration staff has been unable to trace a medical file.	no	no
1	Non-Medical	Confidential shredding waste bag/box went missing from ICT office.	no	no
1	Non-Medical	A member of the public received a CD of an MRI scan in response to their Subject Access Request application. The letter contained another CD with details of another patient's data on it.	no	no

1	Non-Medical	A member of the public contacted the complaints dept' to advise that she been receiving phone calls as the next of kin of a patient in the Trust. The patient is not known to the member of the public and this has been communicated to Trust staff on a number of times.	no	no
1	Non-Medical	Set of patient notes were photocopied by admin - copied twice and one set given to the wrong patient. Demographic details contained.	no	no
1	Non-Medical	Invoice detailing treatment and cost (HIV/GUM)	no	no

			was printed off and posted to the wrong male patient.		
1	Non-Medical		Two letters were printed off a printer in admin'. Top copy of one letter was put in with another patient's copy. Demographic details contained.	no	no
1	Non-Medical		Patient attended for embryology transfer and received a letter containing another patient's details on it (demographic).	no	no
1	Non-Medical		Patient was given a file containing the details of another patient in it. These had been misfiled (demographic details	no	no

		contained).		
1	Medical	In attempting to provide evidence for legal purposes senior members of staff may have accessed patient information inappropriately and in doing so may have breached data protection legislation and Trust policy.	no	no
1	Non-Medical	Patient test results sent to incorrect GP name and address. Wrong details were typed into address field and posted out.	no	no
1	Non-Medical	A service user was sent a hard copy personal data of another service user.	no	no
1	Non-Medical	An appointment letter was sent to	no	no

		the wrong parent - who is an existing user of the service.		
1	Non-Medical	Two children's Consultant report were sent to PS School instead of Special School of the same name. Letters detailed treatment and address of clients.	no	no
1	Non-Medical	In response to a Subject Access Request, some records for an individual have gone missing. The individual has been provided with some records.	no	no
1	Non-Medical	A member of Trust staff had their car stolen whilst exiting it to gain entrance to a work car park. Staff records (file, folder, notebook)	no	no

containing staff names, sickness, home address and contact numbers were in vehicle when stolen. Two days later, BHSCT advised records had been discovered at roadside in Glenavy. This information was returned to the Trust. The following day, remaining information recovered.

1

Non-Medical

An email relating to a staff member's disciplinary hearing in connection with a data breach was sent to an unintended recipient within

no

no

		BHSCT.		
1	Non-Medical	A letter containing appointment details for scan in the NICC was sent to incorrect recipient. Was sent to a patient with same name and DOB.	no	no
1	Non-Medical	Mis-faxing of information, Wrong fax number given twice to staff. Information contained identifiable data and a short report from radiology on the results of a CT scan.	no	no
1	Non-Medical	Former Ormeau Road medical Centre (now disused) broken into. In follow-up from Estates, a number of patient identifiable	no	no

		records were discovered.		
1	Non-Medical	Information on another patient sent with a clinic appointment to a patient. LCID personal data included.	no	no
1	Non-Medical	An email containing another person's details and complaint was accidentally emailed to another member of the public.	no	no
1	Non-Medical	The minutes of the Review Case Conference held on the 5th November in respect of a Family were sent to the parents and professional group of another Family.	no	no

1	Non-Medical	At the back of Trust facility a bag full of various domestic waste that had split open. It was confirmed that the labels viewable were from medicine carousels and listed the resident's name, date of birth and name of drug to be dispensed.		no	no
1	Non-Medical	Patient charts scheduled for clinic were left unsupervised on a reception deck. Notified via a complaint from a member of the public.		no	no
1	Non-Medical	A member of agency staff abused his ICT Access privileges	contract terminated	contract terminated	no

		to reset the password of one of his staff, for the explicit purpose of reading a confidential email.		
1	Non-Medical	A complaint response was sent in error to another person with the same name.	no	no
1	Non-Medical	A confidential patient file was found by staff member outside Trust building	no	no
1	Non-Medical	Letter received in the post from Royal Mail. Inside was a letter and original envelope which had not been franked. Royal Mail opened this letter to view the contents. Royal Mail sent this letter back to the	no	no

		service last week.			
1	Non-Medical	Agency member of staff sent an email containing a patient's name, fathers name and telephone number to her employer (premiere) in error. The agency contacted the father mentioned before realising an error had occurred.	contract terminated	contract terminated	no
1	Non-Medical	Staff car broken into outside of the contact centre, the service Sat Nav stolen from the vehicle addresses on 7 service user's device.		no	no
1	Non-Medical	Confidential letter addressed to a school nurse in Inver Villa KHCP (internal file) had		no	no

		inadvertently been sent out to Royal Mail office. Here it was opened and forwarded to another BHSCT facility.		
1	Non-Medical	5 pages of personal patient information found over the last 6 months in the multi-storey car park sent to the Chief Executive's office	no	no
1	Non-Medical	During the decommissioning of a church hall previously used as a contact centre records were discovered in an unlocked filing cabinet, information dates back to the 1990's.	no	no

		1	Non-Medical	Staff members diary was in her handbag which was stolen during a burglary at her home on 13/1/12 Information had limited personal data		no	no
		1	Non-Medical	Staff members car stolen from house, boot contained work related personal data		no	no
		1	Non-Medical	Mis-faxed information received by non-Trust facility.		no	no
Northern Health and Social Care Trust	1	1	Non-Medical	Breach of patient confidentiality in respect of an employee who was also a patient	Disciplinary Hearing	No	No
South Eastern Health and Social Care Trust	5	3	Non-Medical	Misuse of Trust resources causing a breach of data protection	Final Warning	No	No
		1	Non-Medical	Incorrect confidential	Formal Warning	No	No

				information attached to community referral team	Informal Warning	No	No
				Misuse of Trust resources causing a breach of data protection			
Southern Health and Social Care Trust				No DPA Breaches			
Western Health and Social Care Trust	6	4	Non-Medical	Accessed a colleague's personal record	Addressed informally. All staff reminded to adhere to the Trust's Data Protection & Confidentiality Policy. Review of the process for logging into the computer system to be undertaken by management.	No	No
					Addressed formally. Training to be provided on relevant policies and procedures.		
		1	Non-Medical	Employee failed to secure patient information		No	No

				Probationary period extended for a further 3 months.		
	1	Non-Medical	Employee provided patient information to a former employee	Addressed formally. Retraining to be provided on relevant policies and procedures.	No	No
Mental Health						
Belfast Health and Social Care Trust (Mental Health)						
Northern Health and Social Care Trust (Mental Health)						
South Eastern Health and Social Care Trust (Mental Health)³³						
Southern Health and						

³³ Medical staff section refused: Information not held in an easily retrievable format and the request would have exceeded cost and time limits.

Social Care Trust (Mental Health)					
Western Health and Social Care Trust (Mental Health)					
Ambulance					
Northern Ireland Ambulance Service					
No DPA Breaches					
Total	79	79		0	0

Table 8: Regional Breakdown –Wales

Organisation	Number of Data Breaches	Number of Occurrences	Medical/Non-Medical	Outline of DPA breach	Action taken	Resignation	Conviction
Acute Trusts							
Abertawe Bro Morgannwg University NHS Trust		No resignations or convictions. The remainder of the information was withheld under Section 40(2)					
Cardiff and Vale NHS Trust	14	14	Non-Medical	Information not broken down	Disciplined Internally	No	No
Cwm Taf NHS Trust	There have been no convictions or dismissals, The rest of the information is exempt under Section 40(2) - Q. 3 and 4 or not held - Q. 5						
Gwent Healthcare NHS Trust (Bevan)		No DPA Breaches					
Hywel Dda NHS Trust	16	2	Non-Medical	Breach of confidentiality	Final written warning	No	No
		1	Non-Medical	Disclosure of patient information to unauthorised person	Final written warning	No	No
		1	Non-Medical	Requested patient information	Verbal warning	No	No

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	1	Non-Medical	Breach of confidentiality	Written warning	No	No
	3	Non-Medical	Breach of confidentiality	Informal Action	No	No
	1	Non-Medical	Inappropriate access to records	Verbal warning	No	No
	1	Non-Medical	Inappropriate access to records	Written warning	No	No
	1	Non-Medical	Inappropriate conversation with colleagues	Informal Action	No	No
	1	Medical	Inappropriate conversation with colleagues	Informal Action	No	No
	1	Medical	Inappropriate access to records	Informal Action	No	No
	1	Medical	Inappropriate access to records	Final written warning	No	No
	1	Medical	Inappropriate access to records	Written warning	No	No
	1	Medical	Photocopied patient notes and took outside into community	Formal Action	No	No
Betsi Cadwaladr University Local Health	42	1	Non-Medical	Inappropriately accessing records	Summary Dismissal	No
		1	Non-Medical	Accessed patient information	Written warning	No

Board	1	Non-Medical	Accessed patient information	Final written warning	No	No
	1	Non-Medical	Accessed patient information	Ongoing	No	No
	7	Non-Medical	Breach of confidentiality	Informal action	No	No
	1	Non-Medical	Breach of confidentiality	Formal action	No	No
	3	Non-Medical	Breach of confidentiality	Verbal warning	No	No
	3	Non-Medical	Breach of confidentiality	Written warning	No	No
	1	Non-Medical	Breach of confidentiality	Final written warning	No	No
	1	Non-Medical	Breach of confidentiality	Ongoing	No	No
	2	Non-Medical	Inappropriately accessing records	Written warning	No	No
	1	Non-Medical	Inappropriately accessing records	Final written warning	No	No
	1	Non-Medical	Inappropriately accessing records	Ongoing	No	No
	2	Non-Medical	Accessed confidential documents	Informal action	No	No
	1	Non-Medical	Inappropriate comment made which was	Ongoing	No	No

			confidential in nature			
	2	Non-Medical	Inappropriately accessing records	Resignation	Yes	No
	2	Non-Medical	Breach of patient confidentiality	Informal Action	No	No
	2	Non-Medical	Breach of patient confidentiality	Verbal warning	No	No
	1	Non-Medical	Breach of patient confidentiality	Written warning	No	No
	1	Non-Medical	Breach of patient confidentiality	Ongoing	No	No
	1	Non-Medical	Inappropriately accessing patient records	Resignation	Yes	No
	4	Non-Medical	Breach of patient confidentiality	Following investigation, no case to answer	No	No
	2	Non-Medical	Inappropriately accessing records	Following investigation, no case to answer	No	No
Velindre NHS Trust			No DPA Breaches			
Powys Teaching Local Health Board			No DPA Breaches			
Ambulance						

Welsh Ambulance Service NHS Trust	1	1	Non-Medical	Personal information i.e. address of another member of staff not blanked out in information which was circulated	No action	No	No
Total	73	73				3	0

Methodology

A Freedom of Information request was sent to all NHS Trusts and Bodies beginning on the 24th April 2014. We asked for the number of individuals that have been convicted for breaking the Data Protection Act, the number that had had their employment terminated as the result of a DPA breach, the number that were disciplined internally, the number that resigned during proceedings and the number of instances where no action was taken.

The request also asked that the responses be broken down between medical and non-medical staff.

After a clarification the date range was amended in requests that were sent to Clinical Commissioning Groups, these FOIs only asked for information from between 1st April 2013 and 1st April 2014. This was due to the fact that CCGs were only established in 2013.

We received a **92%** response rate. For the purposes of this report responses were included until **11/11/2014**.

Freedom of Information Request

Dear Sir or Madam

I am writing under the Freedom of Information Act 2000 to request details of breaches of the Data Protection Act in your organization; specifically I am asking for:

1. The number of a) medical personnel and b) non-medical personnel that have been convicted for breaches of the Data Protection Act.
2. The number of a) medical personnel and b) non-medical personnel that have had their employment terminated for breaches of the Data Protection Act.
3. The number of a) medical personnel and b) non-medical personnel that have been disciplined internally but have not been prosecuted for breaches of the Data Protection Act.
4. The number of a) medical personnel and b) non-medical personnel that have resigned during disciplinary procedures.
5. The number of instances where a breach has not led to any disciplinary action.

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

I request that the time period covered is 1st April 2011-1st April 2014.

I further request that the information be displayed in the below format:

Medical/Non-Medical	Outline of DPA breach	Action taken	Resignation	Conviction
Medical	Passed information to third party.	Criminal caution	No	Yes
Non-Medical	Accessed personal information.	Suspended	No	No

I understand under the Freedom of Information Act that 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.

CCGs: Clinical Commissioning Groups were sent an amended FOI after a clarification. The date range applies only from 1st April 2013-1st April 2014. Prior to 2013 CCGs were not in existence.

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About Big Brother Watch

Big Brother Watch was set up to challenge policies that threaten our privacy, our freedoms and our civil liberties, and to expose the true scale of the surveillance state.

Founded in 2009, we have produced unique research exposing the erosion of civil liberties in the UK, looking at the dramatic expansion of surveillance powers, the growth of the database state and the misuse of personal information.

We campaign to give individuals more control over their personal data, and hold to account those who fail to respect our privacy, whether private companies, government departments or local authorities.

Protecting individual privacy and defending civil liberties, Big Brother Watch is a campaign group for the digital age.

If you are a journalist and you would like to contact Big Brother Watch, including outside office hours, please call +44 (0) 7505 448925 (24hrs). You can also email press@bigbrotherwatch.org.uk for written enquiries.

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