

Request for information under the Freedom of Information Act – 2021.918
Released – 3 September 2021

Thank you for your email received 12 August 2021 requesting information regarding robotic process automation.

Please find detailed below a summary of your request, together with our response.

Summary of your original request:

Under the Freedom of Information Act, can you please provide the following information. If no IT solution is used for a specific process, please confirm if this process is paper-based or managed on a spreadsheet.

1 - Does your Trust currently use Robotic Process Automation?

Yes

2 - Which departments within your Trust currently use Robotic Process Automation ?

We are unable to provide information for this part of your request as to do so could compromise the security of systems. This information is therefore exempt under Sections 31(1) Prevention and Detection of Crime. Disclosure of this information would be likely to both prejudice law enforcement and increase the vulnerability of the Trust, which could ultimately aid potential attackers.

Prejudice

Providing details of departments that use Robotic Process Automation may lead to the Trust being vulnerable to a cyber-attack. This information could aid attackers in selecting targets, thereby increasing the vulnerability of public authorities. The Trust believes that this would prejudice both the prevention and detection of cybercrime and national security. NHS organisations including the Trust hold large amounts of personal, sensitive and confidential data and there is a considerable public interest in protecting NHS organisations' systems from potential cyberattack.

Sections 31(1) is a prejudice based exemption and subject to a public interest test. This means that not only does the information have to prejudice one of the purposes listed, but before the information can be withheld, the public interest in preventing that prejudice must outweigh the public interest in disclosure.

Public Interest Test

Considerations in favour of disclosure:

- The inherent public interest in the openness and transparency of public authority dealings

Chairman John Goulston Chief Executive Paul Bentley

Trust HQ The Oast, Unit D, Hermitage Court, Hermitage Lane, Barming, near Maidstone, Kent ME16 9NT

Considerations against disclosure:

- Disclosing this information could expose the IT security systems of the Trust to the risk of a targeted attack
- Disclosing this information would increase the vulnerability of specific NHS organisations on a national level leading to the disruption of NHS organisations' ability to conduct business
- Disclosing this information could aid an attacker by highlighting areas or organisations that could be more vulnerable to attack than others
- Applying this exemption will prevent the disclosure of information that would facilitate or encourage criminal activity
- A successful attack would have a direct impact on patient care

Conclusion:

The Trust recognises that there is a public interest in the disclosure of information which facilitates the accountability and transparency of public bodies for decisions taken by them. However, there is also a public interest in the security of information held by the Trust which is put to the wider public interest.

Having undertaken the balancing exercise, the Trust has concluded that the public interest in maintaining the exemption significantly outweighs the public interest in disclosing the requested information. Particular weight has been placed on the severity of the prejudice which may be caused were the Trust to release details of products used.

Given that the definition of 'public' under the Act is considered to be the public at large, rather than just the individual applicant or a small group of people and that 'public interest' is not necessarily the same as what interests the public, it is considered that to release this information is likely to result in prejudice to the security systems of NHS organisations including the Trust which is not outweighed by the wider public interest for disclosure.

The Information Commissioner's Office (ICO) has confirmed that they consider that the safeguarding of national security also includes protecting potential targets even if there is no evidence that an attack is imminent. In recent months there have been published vulnerabilities against NHS organisations, including the very significant incident in May 2017. The Trust considers that the greater public interest lies with the security of the type of information held by them and that of third parties. In the Trust's opinion, the additional risk to clinical data held by the Trust and the impact a successful attack would have on direct patient care means disclosure cannot be justified.

3 - Which commercial partner is your Trust currently using?

Automation Anywhere

4 - Is the Trust intending to expand the use of Robotic Process Automation ?

Currently under review

5 - Total budget spent on Robotic Process Automation ?

£38,250.00

6 - Forecasted investment in Robotic Process Automation ?

Not currently known

7 - Which departments have been identified for Robotic Process Automation projects?

Exempt under section 31, full exemption detailed above at question 2.

8 - The name of the Trusts current TIE.

This is not a term we are familiar with. Therefore, we are not able to respond to this question.