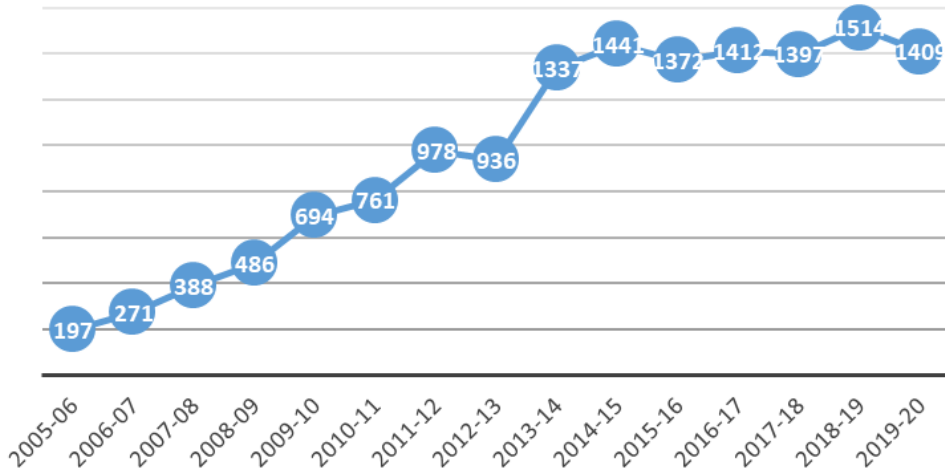


<b>DECISION-MAKER:</b>	GOVERNANCE COMMITTEE		
<b>SUBJECT:</b>	FREEDOM OF INFORMATION, DATA PROTECTION & REGULATION OF INVESTIGATORY POWERS ACTS: ANNUAL REVIEW 2019-20		
<b>DATE OF DECISION:</b>	27 <sup>th</sup> JULY 2020		
<b>REPORT OF:</b>	Service Director Legal and Business Operations		
<b><u>CONTACT DETAILS</u></b>			
<b>AUTHOR:</b>	<b>Name:</b>	TRACY HORSPOOL	<b>Tel:</b> 023 8083 2027
	<b>E-mail:</b>	<a href="mailto:Tracy.horspool@southampton.gov.uk">Tracy.horspool@southampton.gov.uk</a>	
<b>Director</b>	<b>Name:</b>	MIKE HARRIS	<b>Tel:</b> 023 8083 2882
	<b>E-mail:</b>	<a href="mailto:Mike.harris@southampton.gov.uk">Mike.harris@southampton.gov.uk</a>	
<b>STATEMENT OF CONFIDENTIALITY</b>			
None			
<b>BRIEF SUMMARY</b>			
A report detailing the statistical information for the financial year 2019-20 with regard to information governance. This report details statistical information on requests received under the Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations 2004 (EIR), the General Data Protection Regulation (GDPR) and the Council's activity under the Regulation of Investigatory Powers Act 2000 (RIPA).			
<b>RECOMMENDATIONS:</b>			
	(i)	To note and comment on the update of the statistical information for the year 1 <sup>st</sup> April 2019 – 31 <sup>st</sup> March 2020 relating to: <ul style="list-style-type: none"> <li>• FOIA and associated legislation</li> <li>• GDPR</li> <li>• RIPA 2000</li> </ul>	
	(ii)	To note the outcome of the recent inspection by the Investigatory Powers Commissioner's Office ('IPCO') of the Council's compliance with the Regulation of Investigatory Powers Act 2000 and its use of covert investigatory powers  To note the updated Corporate Surveillance document (May 2020) attached at appendix 1	
<b>REASONS FOR REPORT RECOMMENDATIONS</b>			
1.	To keep Members informed as to the impact of the legislation to the Council and to detail the form and type of information requests received in 2019-20.		
2.	To ensure that Members continue to be aware of the Council's statutory obligations and compliance performance.		

<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>	
3.	The alternative to bringing this report before members is to not report the yearly analysis. This was rejected because it is considered to be good governance to report such matters to Members, provides an audit trail to demonstrate to the Information Commissioner that the Council has a robust structure in place to comply with the legislation, and to maintain the profile of information law requirements and resource implication within the organisation.
<b>DETAIL (Including consultation carried out)</b>	
4.	This report will be published on the Council's website
	<b>FOIA</b>
5.	The FOIA came fully into force on 1 <sup>st</sup> January 2005, marking a major enhancement to the accessibility of information held by public authorities.
8.	Running parallel to the FOI regime is the EIR, which gives a separate right to request environmental information from public authorities, the GDPR, which gives the individual the right to access their own personal data, and the Re-Use of Public Sector Information Regulations (RUPSIRs) which allow a requester to re-use (under licence) information provided to them by a public authority.
9.	Under the FOIA and associated legislation, anybody may request information from a public authority with functions in England, Wales and/or Northern Ireland. Subject to exemptions, the FOIA confers two statutory rights on applicants: <ul style="list-style-type: none"> <li>(i) The right to be told whether or not the public authority holds that information; and</li> <li>(ii) The right to have that information communicated to them</li> </ul>
10.	There are two types of exemptions that may apply to requests for information – absolute and qualified.
11.	Information that falls into a particular exemption category, for example information relating to commercial interests, will have to be disclosed unless it can be successfully argued that the public interest in withholding it is greater than the public interest in releasing it. Such exemptions are known as qualified exemptions.
12.	Where information falls within the terms of an absolute exemption, for example, information reasonably accessible by other means or information contained in court records, a public authority may withhold the information without considering any public interest arguments.
13.	The Council has now experienced the fifteenth full year of the FOIA, which has seen the number of requests received plateau over the past 7 years.

## FOI / EIR Requests Received



14.

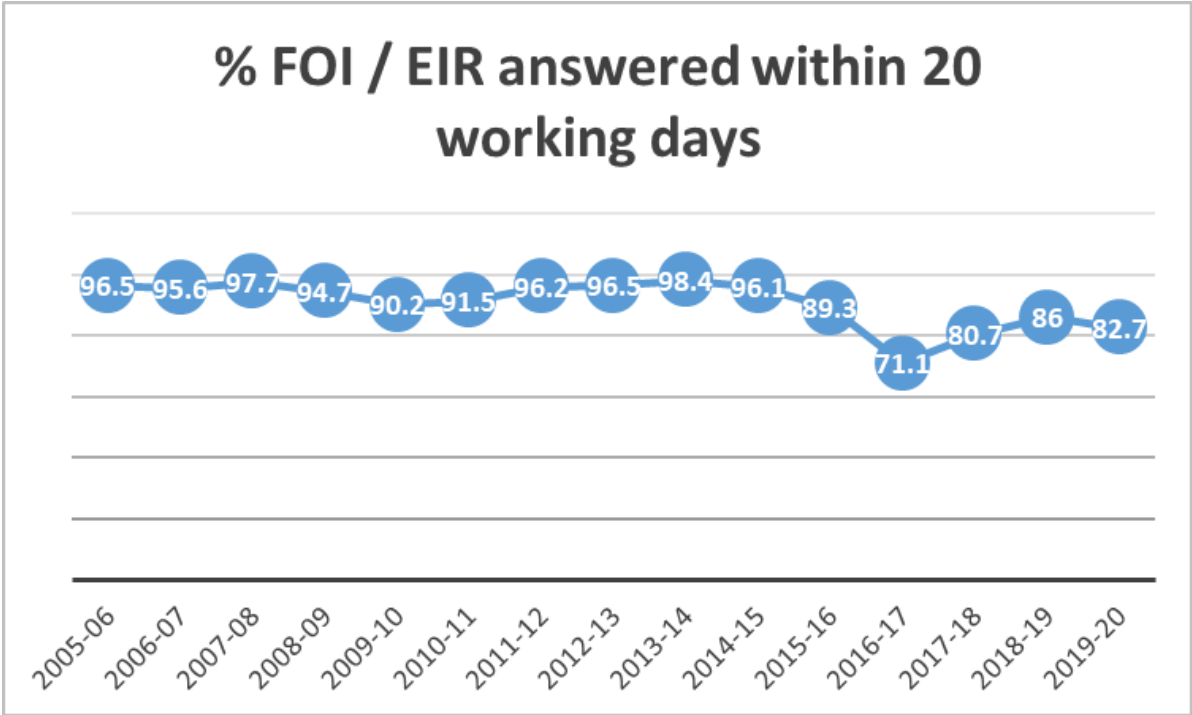
The number has decreased slightly from 1514 for the year to 1409, but the drop can be attributed to a sharp decline in the number of requests received in March due to the COVID-19 pandemic.

The area breakdown of the requests is as follows:

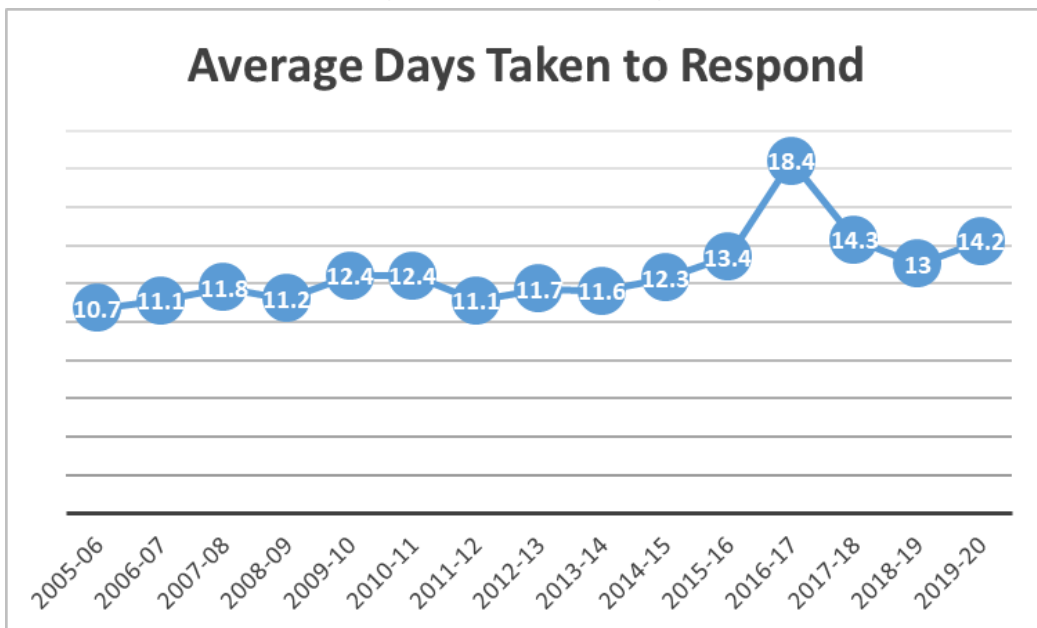
Directorate	No. Rec'd	%	Days
Svc Director Transactions & Universal Services	342	86%	12.7
Svc Director Children & Families	239	76%	16.5
Svc Director Digital & Business Operations	220	83%	12.3
Svc Director Housing, Adults & Communities	200	79%	15.6
Svc Director Growth	195	85%	14.6
Svc Director HR and Organisational Development	56	88%	12.8
Svc Director Intelligence, Insight & Communications	42	83%	15.1
Svc Director Legal & Governance	42	91%	12.7
Svc Director Strategic Finance & Commercialisation	31	81%	14.2
Svc Director Public Health	29	76%	16.8
Requests on hold at time of report	9	N/A	N/A
Director of Quality & Integration	4	100%	16.3
<b>Grand Total</b>	<b>1409</b>	<b>83%</b>	<b>14.2</b>

To summarise, the Council has received a total of 1409 requests between 1<sup>st</sup> April 2019 and 31<sup>st</sup> March 2020. This comprises 1312 dealt with as FOI requests and 97 EIR requests.

15. 2019-20 has seen an overall decrease in the volume of requests received in comparison to previous years. The average number of requests received per month was 117, compared with 126 last year. COVID-19 did have an impact on this, with March seeing a drop in requests of around a third. The monthly average of excluding March was 125, on par with last year.
16. During the year, 83% of all monitored FOI and EIR requests (excluding those 'on hold' or lapsed) were dealt with within the statutory deadline of 20 working days. This is a slight decrease on the previous year, which can also be attributed to COVID-19, which saw the Council divert resources to ensure key services remained operational.



18. This has also had an impact on the time taken to respond to requests, with the overall response time increasing 14 days on average.



19.	<p>Under FOIA, where the cost of responding to the request will exceed the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (which is currently set at £450 for local authorities), the Council may refuse to comply with it. For 2019-20, the Council issued 71 Refusal Notices on fees grounds, which represents an increase, with 51 being issued last year.</p>														
20.	<p>Of all requests received during the year, 63% of information requested was disclosed in full. Of the remaining requests, 4% of information was not held by the Council, 10% were partly responded to by the Council (i.e. some parts of the request were subject to an exemption), and 14% were completely refused as information was withheld because a fees notice was issued or it was exempt (e.g. requests for personal information such as individual/contact details or confidential/commercially sensitive contract or financial information). The remaining 8% of the requests were withdrawn or lapsed (the requester did not respond to a request for clarification after 3 months had passed).</p> <div data-bbox="245 837 1441 1550" data-label="Figure"> <p style="text-align: center;"><b>REQUEST OUTCOME</b></p> <table border="1"> <caption>Request Outcome Data</caption> <thead> <tr> <th>Outcome</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Fully Responded</td> <td>63%</td> </tr> <tr> <td>Information not held</td> <td>4%</td> </tr> <tr> <td>Part disclosure</td> <td>10%</td> </tr> <tr> <td>Refused</td> <td>14%</td> </tr> <tr> <td>Withdrawn</td> <td>8%</td> </tr> <tr> <td>Lapsed</td> <td>8%</td> </tr> </tbody> </table> </div>	Outcome	Percentage	Fully Responded	63%	Information not held	4%	Part disclosure	10%	Refused	14%	Withdrawn	8%	Lapsed	8%
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21.	<p>16 individuals requested internal reviews regarding decisions made to withhold, partially withhold information requested, or where they were generally unhappy with how their request was handled.</p>														
22.	<p>This year, there have been 2 occasions where an appeal was made to the ICO as a result of the Council's decision in respect of their internal review. In the first, the ICO ruled that the Council had incorrectly identified a request made under the Environmental Information Regulations as one being made under the Freedom of Information regime, and upheld the requesters complaint that a reasonable search for the information had not been undertaken. In the second, the requester was not satisfied that the Council had correctly applied an exemption in respect of commercial sensitivity when withholding the information. The requester later withdrew their complaint to the ICO.</p>														

23.	<p>As with all years, types of requests have been varied and covered every service area of the Council, including budget, HR, council tax and business rates data, schools, highways maintenance, and social services.</p> <p>The top ten request subjects ranked in order of popularity are as follows:</p> <table border="1" data-bbox="231 488 1445 1102"> <thead> <tr> <th data-bbox="231 488 1276 539">Service Area</th> <th data-bbox="1276 488 1445 539">Requests</th> </tr> </thead> <tbody> <tr> <td data-bbox="231 539 1276 591">Business Services - Business rates</td> <td data-bbox="1276 539 1445 591">88</td> </tr> <tr> <td data-bbox="231 591 1276 642">Education and Early Help – Schools</td> <td data-bbox="1276 591 1445 642">69</td> </tr> <tr> <td data-bbox="231 642 1276 694">Strategic IT &amp; Digital Client - Information communication technology</td> <td data-bbox="1276 642 1445 694">50</td> </tr> <tr> <td data-bbox="231 694 1276 745">Env'mnt St Scene &amp; Health - HMO Licensing</td> <td data-bbox="1276 694 1445 745">49</td> </tr> <tr> <td data-bbox="231 745 1276 797">Children's Social Care - Children and young people social care</td> <td data-bbox="1276 745 1445 797">42</td> </tr> <tr> <td data-bbox="231 797 1276 848">HR Operations - Human resources</td> <td data-bbox="1276 797 1445 848">40</td> </tr> <tr> <td data-bbox="231 848 1276 900">Provider Services - Adult social care</td> <td data-bbox="1276 848 1445 900">39</td> </tr> <tr> <td data-bbox="231 900 1276 952">Planning, Infrastructure and Development - Planning services</td> <td data-bbox="1276 900 1445 952">39</td> </tr> <tr> <td data-bbox="231 952 1276 1048">Assessment, support Planning Options - Homelessness and prevention</td> <td data-bbox="1276 952 1445 1048">31</td> </tr> <tr> <td data-bbox="231 1048 1276 1102">Planning, Infrastructure and Development – Highways</td> <td data-bbox="1276 1048 1445 1102">29</td> </tr> </tbody> </table>	Service Area	Requests	Business Services - Business rates	88	Education and Early Help – Schools	69	Strategic IT & Digital Client - Information communication technology	50	Env'mnt St Scene & Health - HMO Licensing	49	Children's Social Care - Children and young people social care	42	HR Operations - Human resources	40	Provider Services - Adult social care	39	Planning, Infrastructure and Development - Planning services	39	Assessment, support Planning Options - Homelessness and prevention	31	Planning, Infrastructure and Development – Highways	29
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24.	<p>For the period covered in this report, 63% of requests came from private citizens, 15% came from companies/businesses, 11% from the media. The remaining 11% came from a combination of charities, students, researchers, lobby groups, MPs / Members and other Councils etc.</p>																						
25.	<p>Previously, Members requested information as to how much time and resources each Service spends on dealing with requests. We do not record this information. Previous years have shown that it took Corporate Legal approximately 2 hours to respond to each request. However, current research from Parliamentary post-legislative scrutiny of the Act indicates “the best-performing local authorities took between one and six hours for each request”. We can estimate that our time spend on requests is comparable to this, and using the £25 per hour rate that the Act allows us to charge for staff time when refusing requests, we can estimate that each request costs the Council between £25 and £150 to respond on average.</p>																						
26.	<p>As Corporate Legal use a case management system and accurately time record we are able to detail how much time it takes to log, monitor, and give advice on requests. For 2019-20, the average time taken per request was just under 1 hour. Most requests take around half an hour to action within the Corporate Legal Team but, where detailed exemptions and redactions are needed, this can increase time taken on a single request for very complex cases. For example, the Corporate Legal time spent just under 20 hours on one single request in 2019-20. The average therefore predominantly represents the time taken for detailed application of legal tests to requests where the Council seeks to withhold certain information from release.</p>																						

27.	It should be stressed that this figure does not include the time taken for Business Support or the service areas to locate, collate, and send out the information requested and the Council does not have a mechanism for capturing that resource cost (which comprises the bulk of any cost to the Council).																										
28.	<p>In the Corporate Legal team there are now 3 FTE member of staff dedicated to providing advice, training and monitoring compliance with information law. Other members of Legal Services and an innovative intern scheme with local and regional universities support this function when their capacity allows it.</p> <p>For 2019-20, the Council’s Legal team spent 5542 hours on Information Governance matters in general. This not only includes processing information requests, but also providing advice and guidance to service areas on a range of IG matters, conducting Data Protection Impact Assessments, investigating data security incidents, and attendance at the Information Governance Board.</p>																										
<b>GENERAL DATA PROTECTION REGULATION</b>																											
29.	The GDPR gives individuals the right to know what information is held about them, along with other rights, and provides a framework to ensure that personal information is handled properly.																										
30.	<p>Under the GDPR, an individual is entitled to access personal data held by an organisation, of which that individual is the data subject. Such requests for information are known as subject access requests. Other requests available under the GDPR are:</p> <ul style="list-style-type: none"> <li>• Rectification</li> <li>• Erasure</li> <li>• Restriction</li> <li>• Object</li> <li>• Portability</li> </ul>																										
31.	<p>For the year 2019-20, the Council received 258 rights requests compared with 205 such requests last year. Again, COVID-19 is a factor in this total, and prior to the pandemic, the number of requests was on course to be much higher.</p> <div data-bbox="319 1429 1343 2042" style="text-align: center;"> <table border="1" style="margin-left: auto; margin-right: auto;"> <caption>No. of Subject Rights Requests</caption> <thead> <tr> <th>Year</th> <th>No. of Requests</th> </tr> </thead> <tbody> <tr><td>2008-09</td><td>15</td></tr> <tr><td>2009-10</td><td>13</td></tr> <tr><td>2010-11</td><td>25</td></tr> <tr><td>2011-12</td><td>28</td></tr> <tr><td>2012-13</td><td>64</td></tr> <tr><td>2013-14</td><td>114</td></tr> <tr><td>2014-15</td><td>208</td></tr> <tr><td>2015-16</td><td>178</td></tr> <tr><td>2016-17</td><td>145</td></tr> <tr><td>2017-18</td><td>130</td></tr> <tr><td>2018-19</td><td>205</td></tr> <tr><td>2019-20</td><td>258</td></tr> </tbody> </table> </div>	Year	No. of Requests	2008-09	15	2009-10	13	2010-11	25	2011-12	28	2012-13	64	2013-14	114	2014-15	208	2015-16	178	2016-17	145	2017-18	130	2018-19	205	2019-20	258
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32. The types of requests were as follows:

Subject Access	245
Objection	5
Rectification	4
Erasure	3
Portability	1
<b>Grand Total</b>	<b>258</b>

32. 96% of the requests were responded within the statutory timescales compared with 85% last year.  
 This increase in compliance is a great achievement, in light of the overall increase in the number of requests received, and the reduction in timescale brought about by the GDPR.

Year	Percentage
2008-09	53.3%
2009-10	53.9%
2010-11	76.0%
2011-12	89.3%
2012-13	95.3%
2013-14	88.6%
2014-15	88.7%
2015-16	85.4%
2016-17	79.0%
2017-18	95.4%
2018-19	85.4%
2019-20	95.7%

33. The Directorate breakdown is as follows:

	No. Rec'd	%	Days
Svc Director Children & Families	142	96.5%	23.0
Svc Director Housing, Adults & Communities	45	100.0%	22.1
Svc Director HR and Organisational Development	18	94.4%	29.9
Svc Director Digital & Business Operations	15	93.3%	17.6
Svc Director Transactions & Universal Services	15	100.0%	19.3
*On hold - Awaiting Allocation	11	100.0%	N/A
Svc Director Legal & Governance	8	100.0%	33.6
Svc Director Growth	3	100.0%	88.0
Svc Director Intelligence, Insight & Communications	1	100.0%	N/A
<b>Grand Total</b>	<b>258</b>	<b>97.3%</b>	<b>24.0</b>



34.	11 of the requests were not allocated to a directorate, as it was not clear from the request which service area held the information, and clarification from the requester was not received																										
36.	5 individuals requested internal reviews regarding decisions made to withhold, partially withhold information requested, or where they were generally unhappy with how their request was handled.																										
37.	There were no occasions where the ICO contacted the Council in light of concerns they had about how a request was handled.																										
39.	Sometimes there is a requirement to disclose personal data which might otherwise be in breach of the DPA. Where an exemption from the non-disclosure provisions applies, such disclosure is not in breach of the DPA. Examples of exemptions include crime and taxation and disclosures required by law or made in connection with legal proceedings. Such requests are typically made to the Council by regulatory authorities such as the police, the Department of Work and Pensions and so on as part of their investigations.																										
40.	<p>For the year 2019-20 the Council received 291 requests for data from such third party organisations compared to 385 in the previous year. This is a decrease from last year, and continues a trend in a reduction in such requests. This is likely as a result of an increase in information sharing partnerships, where such disclosures would be governed by a data sharing agreement, without the need to each request to be logged and authorised by the Corporate Legal Team.</p> <div data-bbox="245 1061 1445 1751" data-label="Figure"> <table border="1"> <caption>No. of Third Party Requests Received</caption> <thead> <tr> <th>Year</th> <th>Number of Requests</th> </tr> </thead> <tbody> <tr><td>2008-09</td><td>366</td></tr> <tr><td>2009-10</td><td>248</td></tr> <tr><td>2010-11</td><td>275</td></tr> <tr><td>2011-12</td><td>273</td></tr> <tr><td>2012-13</td><td>332</td></tr> <tr><td>2013-14</td><td>349</td></tr> <tr><td>2014-15</td><td>536</td></tr> <tr><td>2015-16</td><td>928</td></tr> <tr><td>2016-17</td><td>636</td></tr> <tr><td>2017-18</td><td>448</td></tr> <tr><td>2018-19</td><td>385</td></tr> <tr><td>2019-20</td><td>291</td></tr> </tbody> </table> </div>	Year	Number of Requests	2008-09	366	2009-10	248	2010-11	275	2011-12	273	2012-13	332	2013-14	349	2014-15	536	2015-16	928	2016-17	636	2017-18	448	2018-19	385	2019-20	291
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41.	In addition to these requests, the CCTV control room (City Watch) and Licensing Team received 758 and 122 third party requests respectively (the majority of the Licensing requests were for footage from the vehicle Taxi Cameras). These requests are regulated by information sharing agreements, which removes the requirement to have each one authorised by Corporate Legal.																										

42.	The Corporate Legal team also monitor and authorise requests from internal Services to re-use personal information already held by the Council. Such requests are commonly made where personal information is necessary when taking enforcement action, performing a statutory function, or improving the efficiency of Council services.																
43.	<p>In 2019-20, 23 requests were processed, with CCTV footage and Council Tax data being the most common source of information.</p> <div data-bbox="459 472 1203 904" style="text-align: center;"> <table border="1" style="margin: auto;"> <caption>Re-Use of Council Information Requests</caption> <thead> <tr> <th>Year</th> <th>Number of Requests</th> </tr> </thead> <tbody> <tr> <td>2013-14</td> <td>18</td> </tr> <tr> <td>2014-15</td> <td>97</td> </tr> <tr> <td>2015-16</td> <td>67</td> </tr> <tr> <td>2016-17</td> <td>74</td> </tr> <tr> <td>2017-18</td> <td>73</td> </tr> <tr> <td>2018-19</td> <td>47</td> </tr> <tr> <td>2019-20</td> <td>47</td> </tr> </tbody> </table> </div>	Year	Number of Requests	2013-14	18	2014-15	97	2015-16	67	2016-17	74	2017-18	73	2018-19	47	2019-20	47
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<b>DATA SECURITY INCIDENTS</b>																	
44.	During 2019-20, 189 data security incidents were reported to the Corporate Legal team. 76% of these were determined to be actual data breaches upon investigation, with the most common cause being data sent electronically to incorrect recipients.																
44.	<p>Importantly, the Council records the “severity” of the incidents reported, determined by a number of factors, including the nature of the information involved, the volume of data, and the possible harm the breach might cause to individuals involved. Any incident receiving a severity rating over 1 was considered to require a full investigation and remediation report.</p> <p>For 2019-20, the average severity of incidents determined to be actual breaches remains at 0.5.</p>																
45.	One of the data breaches was considered sufficiently serious to be reported to the Information Commissioner’s Office. This involved the disclosure of a service user’s address to a member of their family, which placed them at risk of harm.																
46.	The ICO considered that no further action was necessary as the Council had put into action adequate and robust remediation plans to address the risks to the individual, and ensure that such errors do not reoccur.																
<b>NHS TOOLKIT</b>																	
47.	In order to share information with our health partners, the Council has to provide annual assurance as to the standard of its information governance compliance. In the absence of any service information governance lead, the Corporate Legal Team again assumed short-term responsibility for collation of the Toolkit evidence this year, but due to COVID-19, the annual submission deadline of 31 <sup>st</sup> March was extended to 30 <sup>th</sup> September 2020. The Council aims to be self-assessed at being 100% compliant with the mandatory evidence requirements well before this deadline.																

	<b>RIPA</b>																																		
48.	Under RIPA, the Council as a public authority is permitted to carry out directed surveillance, the use of covert human intelligence sources and to obtain communications data if it is both necessary for the purpose of preventing or detecting crime and/or disorder and the proposed form and manner of the activity is proportionate to the alleged offence.																																		
49.	<p>There were no authorisations made under RIPA in 2019-20.</p> <div data-bbox="247 537 1436 1220" data-label="Figure"> <table border="1"> <caption>RIPA Authorisations</caption> <thead> <tr> <th>Year</th> <th>Number of Authorisations</th> </tr> </thead> <tbody> <tr><td>2004-05</td><td>23</td></tr> <tr><td>2005-06</td><td>29</td></tr> <tr><td>2006-07</td><td>26</td></tr> <tr><td>2007-08</td><td>31</td></tr> <tr><td>2008-09</td><td>34</td></tr> <tr><td>2009-10</td><td>25</td></tr> <tr><td>2010-11</td><td>40</td></tr> <tr><td>2011-12</td><td>13</td></tr> <tr><td>2012-13</td><td>11</td></tr> <tr><td>2013-14</td><td>5</td></tr> <tr><td>2014-15</td><td>1</td></tr> <tr><td>2015-16</td><td>0</td></tr> <tr><td>2016-17</td><td>0</td></tr> <tr><td>2017-18</td><td>0</td></tr> <tr><td>2018-19</td><td>1</td></tr> <tr><td>2019-20</td><td>0</td></tr> </tbody> </table> </div>	Year	Number of Authorisations	2004-05	23	2005-06	29	2006-07	26	2007-08	31	2008-09	34	2009-10	25	2010-11	40	2011-12	13	2012-13	11	2013-14	5	2014-15	1	2015-16	0	2016-17	0	2017-18	0	2018-19	1	2019-20	0
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2013-14	5																																		
2014-15	1																																		
2015-16	0																																		
2016-17	0																																		
2017-18	0																																		
2018-19	1																																		
2019-20	0																																		
50.	As previously reported, the Protection of Freedoms Act 2012 is now in force, and this makes it a requirement for judicial approval for surveillance activities through application to the Magistrate Courts, therefore imposing a higher threshold for use. As such, there has been a significant decrease in applications made by the Council (and indeed all Councils).																																		
51.	Examples of activity authorised in previous years include covert surveillance of a victim’s home to detect acts of criminality, directed surveillance of individuals who were involved in fraudulent activities and a Covert Human Intelligence Source (‘CHIS’) was used to form an online relationship with a suspect to make a test purchase of suspected counterfeit goods.																																		
52.	The Council is required to formally appoint a ‘Senior Responsible Officer’ for RIPA. The Service Director; Legal & Business Operations is the officer who undertakes this role. The Senior Responsible Officer has responsibility for maintaining the central record of authorisations; the integrity of the RIPA process within his authority; compliance with the Act and Codes of Practice; oversight of the reporting errors to the Surveillance Commissioner; engagement with inspectors from the Office of Surveillance Commissioners and implementation of any subsequent action plan.																																		

53.	<p>Training for Council officers involved in RIPA processes is regularly undertaken and is delivered by the Corporate Legal Team. Our documentation, procedures and training are also used as 'best practice' by a number of other local authorities and we regularly provide training for partner authorities on request.</p> <p>This year we delivered six training sessions to officers at Eastleigh Borough Council.</p>												
54.	<p>The Investigatory Powers Commissioner's Office (formerly the Office of Surveillance Commissioners) carried out its most recent inspection of the Council's management of covert activities in 2019.</p> <p>In his report of December 2019, The Rt. Hon. Sir Brian Leveson, the Investigatory Powers Commissioner, noted:</p> <p>"(My) observations highlight good practice within (your) organisation and this has clearly resulted largely from a conscientious approach and internal oversight and the provision of regular training by Mr Ivory and Mrs Horspool. Both have been inspected in this regard for many years and are not found wanting"</p>												
55.	<p>The Council's reviewed and updated Corporate Surveillance Guidance for 2020 is attached at appendix 1 and the current list of Authorising Officers is attached at appendix 2.</p>												
<p><b>DATA PROTECTION IMPACT ASSESSMENTS</b></p>													
56.	<p>Under Council policy, a Data Protection Impact Assessment (or DPIA) must be carried out for new projects.</p> <p>Carrying out a DPIA enables the Council to identify and address any privacy risks at an early stage, ensure a "privacy by design approach, and adhere to the accountability principle of the GDPR.</p>												
57.	<p>In 2019-20, the Council conducted 174 DPIAs, which is an increase of 25% on the previous year (from 139)</p> <div data-bbox="247 1276 1428 1971" data-label="Figure"> <table border="1"> <caption>DPIAs Undertaken</caption> <thead> <tr> <th>Year</th> <th>Number of DPIAs</th> </tr> </thead> <tbody> <tr> <td>2015-16</td> <td>15</td> </tr> <tr> <td>2016-17</td> <td>26</td> </tr> <tr> <td>2017-18</td> <td>48</td> </tr> <tr> <td>2018-19</td> <td>139</td> </tr> <tr> <td>2019-20</td> <td>174</td> </tr> </tbody> </table> </div>	Year	Number of DPIAs	2015-16	15	2016-17	26	2017-18	48	2018-19	139	2019-20	174
Year	Number of DPIAs												
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<b>RESOURCE IMPLICATIONS</b>	
<b><u>Capital/Revenue</u></b>	
58.	None directly related to this report. The administration of information law within the authority is managed within corporate overheads, but ensuring that the Council performs to an acceptable information governance standard and complies with the new statutory standards imposed by the GDPR and DPA18 places increased pressure on finite and already stretched resources.
<b><u>Property/Other</u></b>	
59.	None directly related to the report.
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
60.	The statutory obligations relating to information law are detailed in the body of this report.
<b><u>Other Legal Implications:</u></b>	
61.	None directly related to this report.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
62.	The potential impact of the decision in terms of finance, service delivery and reputation is considered to be low. Although the report does highlight potential future pressures on service delivery with the advent of the GDPR, the decision of members in this report is to note the performance of the Council in terms of information governance for 2019-20.
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
63.	The information contained in this report is consistent with and not contrary to the Council's policy framework.
<b>KEY DECISION?</b>	<b>No</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	None
<b><u>SUPPORTING DOCUMENTATION</u></b>	
<b>Appendices None</b>	
1.	Corporate Surveillance Guidance for 2020
2.	Current list of Authorising Officers
<b>Documents In Members' Rooms None</b>	
1.	None
<b>Equality Impact Assessment</b>	
<b>Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.</b>	<b>No</b>
<b>Data Protection Impact Assessment</b>	

<b>Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.</b>		<b>No</b>
<b>Other Background Documents None</b>		
<b>Other Background documents available for inspection at:</b>		
<b>Title of Background Paper(s)</b>	<b>Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)</b>	
1.	None	