

GREATER LONDON AUTHORITY



Our Ref: MGLA120916-5699

28th September 2016

Dear ,

I write to provide you with our response to request for information that the GLA received on the 11th September 2016. Your request asked a number of questions which we will answer in turn.

EMAILS

1. What is the process to search an employee's email at the GLA?

The only people that can request a search are a Head of Service or a Director.

This request then has to be authorised by either the Mayor, the Director of Resources, the Head of Paid Service or the GLA Monitoring Officer.

Before any monitoring is undertaken, an impact assessment form must be completed in writing (using guidance on the potential impact) by the applicant officer requesting the covert monitoring and signed off by the Authorising Officer. Legal advice should be sought.

The impact assessment form may only be signed off where the Authorising Officer is satisfied that all other means of obtaining evidence have been exhausted or is considered inappropriate. The process is as follows:

- The Applicant Officer must complete the impact assessment form and send to the Authorising Officer
- The Authorising Officer must consider the form consult with legal services, and complete and sign the form as soon as practicable in writing.
- The Authorising Officer must return the form to the Applicant Officer and the Head of Technology Group as soon as practicable.
- The Head of Technology Group and the Applicant Officer (or their nominee) can collect the information as required in the impact assessment, keeping any examination of emails and internet sites to a minimum, and if possible, searching for the suspected e-mails by heading, and avoiding emails or folders marked personal. If the emails are marked personal, private or confidential, or kept in a personal folder, then legal advice must be sought before collating them.
- The information is to be collated and provided to the applicant officer. If the information gathered is tangential to the original investigation, delete it from the

records unless it is such that no reasonable employer could ignore. If it is not deleted, then this information should be notified to the Authorising Officer for approval and also referred to Human Resources.

- The Applicant Officer must then discuss the information provided and any action that he or she wishes to take with the Head of Human Resources and to only read the content of the email where essential.
- The Applicant Officer must keep the Authorising Officer informed of any action taken or if there is no longer a requirement to carry out the covert monitoring.

2. *How many times in 2016 have managers at the GLA requested employee mail searches?*

Once

3. *How many searches of employee email have taken place in 2016?*

One

4. *Is employee email searching recorded, and who compares the records to the number of received search requests?*

Yes – all requests for searches are held by the Directors Office. Overall responsibility for the process is the Executive Director of Resources

5. *Which GLA role(s) has the authority to approve an employee email search at the GLA and how many searches has each role approved in 2016?*

This request has to be authorised by either the Mayor, the Director of Resources, the Head of paid service or the GLA Monitoring Officer.

Only one search was undertaken which was approved by the Director of Resources

6. *Who has the authority to approve removing emails from employee's mailboxes without employee's prior knowledge at the GLA?*

No one.

7. *How many times in 2016 have emails been removed from employee's mailbox without their prior knowledge?*

This has never been done.

8. *Has the Head of the GLA had their email searched in 2016 with or without their prior knowledge?*

In accordance with the provisions of section 40(5) of the Freedom of Information Act, the GLA can neither confirm nor deny whether or not it holds any information in response to this part of the your request.

Section 40 provides a degree of protection to personal information that is in line with the provisions of the Data Protection Act (DPA) 1998 and helps protect personal information about an individual from being placed into the public domain, except where there are justifiable considerations for doing so and where it would not be in breach of a person's rights.

The information that you have requested would be about, or relate to, an identifiable individual.

Section 40(5)(b)(i) of the Fol Act provides that:

The duty to confirm or deny [whether or not information is held] does not arise in relation to information if or to the extent that the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the data protection principles or section 10 of the Data Protection Act 1998 or would do so if the exemptions in section 33A(1) of that Act were disregarded

A statement either confirming or denying whether or not any email searches have been carried out in relation to any particular individual in the GLA would constitute the personal data of that individual (as defined by the Data Protection Act 1998 (DPA)).

Providing any statement that either confirmed or denied whether or not any searches had taken place would be in contravention of the first Data Protection Principle of the DPA and would constitute unfair processing of that personal data.

By virtue of the provisions of section 40(5)(b)(i) of the Freedom of Information Act, we neither confirm nor deny whether or not any of the information you have requested is, or is not, held by GLA in response to this part of your request.

This response should not be taken as conclusive evidence that any of the information you have requested is or is not held by the GLA.

INTERNET

- 1. Does the GLA store usernames and passwords for non-GLA websites? And is this with or without user knowledge?***

No

- 2. Who has access to the stored GLA user name and passwords?***

Not applicable – we do not store this.

- 3. Does the GLA store users payment card details when the GLA listens in to secure web traffic? If so, how is this stored and who has access?***

We do not store this.

4. *Has intercepting secure web traffic resulted in the prevention of data loss on any occasion in 2016?*

No

5. *How much has the GLA spent on preventing data loss via internet traffic interception of its users in the last two years*

This is complex as many of the contracts associated with support for these technologies are multi-year contracts. Total spend on internet / mail / perimeter security in the last two financial years is £112,714.

6. *How have BBC users been made aware that the GLA "listen" in on secure web traffic for non GLA websites?*

The GLA does not "listen" in on secure web traffic for non GLA websites

7. *Please confirm how you have generated the numbers requested, and where possible if these numbers can be verified another way.*

The figures have come from looking at our records and budgets.

If you have any further questions relating to this matter, please contact me, quoting the reference at the top of this letter.

Yours sincerely



Ian Lister
Information Governance Manager

If you are unhappy with the way the GLA has handled your request, you may complain using the GLA's FOI complaints and internal review procedure, available at:

<https://www.london.gov.uk/about-us/governance-and-spending/sharing-our-information/freedom-information>