



AUDIT COMMITTEE – 11TH JUNE 2014

SUBJECT: REVIEW OF EMPLOYEE SURVEILLANCE BY WALES AUDIT OFFICE (WAO)

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES & S 151

1. PURPOSE OF REPORT

- 1.1 To report to Audit Committee Members the findings of a review undertaken by PricewaterhouseCoopers (PWC) on behalf of WAO.

2. SUMMARY

- 2.1 The review is attached as Appendix 1. The review has concluded that there were a number of shortcomings historically in respect of the use of employee surveillance including the procurement arrangements in respect of the use of a company to provide those services.
- 2.2 Concerns surrounding the use of employee surveillance were reported to the Policy and Resources Scrutiny Committee on 16 April 2013. At that time, the use of employee surveillance was put on hold until a number of actions were successfully concluded in respect of an update of policy, to include engagement with the Trade Unions, the implementation of a robust procedure, to include impact assessments, followed by a formal procurement process.
- 2.3 The Policy and Resources Scrutiny Report is attached as Appendix 2.

3. LINKS TO STRATEGY

- 3.1 Robust formal procedures and proper procurement arrangements are a key aspect of good corporate governance.

4. THE REPORT

- 4.1 The Authority's use of employee surveillance had attracted much attention in the Spring/early Summer 2013. The shortcomings in respect of the use of this type of Surveillance were formally and publicly acknowledged in a report to Policy and Resources Scrutiny 16 April 2013. Following that meeting, Cabinet agreed on 30 April 2013:-

"The report provided details of employee surveillance undertaken by the Authority, the legal framework for such activity, the process for agreeing employee surveillance, the background to the appointment of Conquest Surveillance and the associated costs and benefits.

The Policy and Resources Scrutiny Committee discussed the report in detail at its meeting on 16 April 2013. A Trade Union representative had also been granted permission to address the Scrutiny Committee in respect of this item.

Cabinet considered the report in detail and it was proposed and seconded that the recommendations from the Scrutiny Committee be endorsed. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report:-

- (1) The content of the report be noted*
- (2) A formal procurement process be undertaken for a contractor to undertake employee surveillance and during this period surveillance remain suspended.*
- (3) The Authority engage in detailed discussions with the Trade Unions with a view to the development of the current robust procedures into an HR policy document which will be made available to all members of staff."*

4.2 Since April 2013, employee surveillance has not been undertaken. The Authority has been awaiting the WAO report prior to engaging with the Trade Unions in respect of updating relevant policies. Formal procedures will also need to be updated, agreed and implemented. Finally, a formal procurement process will be undertaken. Updates in respect of the above will be reported to Policy and Resources Scrutiny Committee.

4.3 Due to the implications of the Medium Term Financial Plan and the requirement for Human Resources to focus on introducing a range of new policies to deal with the impact of the savings required, this piece of work has not been seen as a priority especially as employee surveillance is no longer taking place.

5. EQUALITIES IMPLICATIONS

5.1 A full Equalities Impact Assessment has not been undertaken on this report, which is for information purposes only. There are, however, clear Equalities and Human Rights issues involved in operating any form of surveillance on employees who are entitled to the right of privacy, liberty etc. under the Human Rights Act.

6. FINANCIAL IMPLICATIONS

6.1 There has been a charge to the Authority by WAO for the work undertaken in respect of this review of £6.5 k.

7. PERSONNEL IMPLICATIONS

7.1 None relating to this report.

8. CONSULTATIONS

8.1 There are no consultation responses that have not been reflected in this report.

9. RECOMMENDATIONS

9.1 Audit Committee Members are requested to note the contents of the review by WAO, particularly the shortcomings that have been highlighted.

9.2 Audit Committee agree that progress to resolve the shortcomings should be reported to P & R Scrutiny Committee, acknowledging that workforce strategies and managing the impact of savings proposals will need to remain as the key priority during the next year.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 To ensure that prior to the commencement of a formal procurement process, relevant policies and procedures will be implemented. This will include engagement with Trade Union representatives.

11. STATUTORY POWER

- 11.1 Local Government Act 1972.

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Consultees: Gareth Hardacre, Head of Workforce & Organisational Development
Gail Williams, Interim Head of Legal Services and Monitoring Officer
Steve Harris, Acting Head of Corporate Finance
Stuart Rosser, Interim Chief Executive
Richard Harris, Internal Audit Manager
Cllr Chris Forehead, Cabinet Member for HR & Governance / Business Manager
Cllr B Jones, Deputy Leader & Cabinet Member for Corporate Services

Background Papers:
WAO file

Appendices:

Appendix 1 Review of Employee Surveillance - WAO

Appendix 2 Surveillance of Employees – Policy & Resources Scrutiny Committee 16 April 2013



Stuart Rosser
Interim Chief Executive
Caerphilly County Borough Council
Penallta House
Tredomen Park
Ystrad Mynach
Hengoed CF82 7PG

20 February 2014

Dear Stuart

Review of employee surveillance by Caerphilly County Borough Council

Background

Since March 2013 there has been considerable media interest in the Council's surveillance activities. Subsequently we received correspondence raising concerns with the process for undertaking employee surveillance from a number of electors. The matters were not raised as formal objections to the accounts.

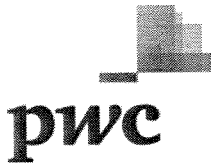
The Acting Director of Corporate Services and s151 Officer reported to the Council's Policy and Resources Scrutiny Committee on 16 April in relation to this matter. The report noted that surveillance activities had been undertaken since 2004, initially in respect of suspected fraudulent insurance claims and then subsequently in respect of employees suspected of defrauding Council. It set out that in exceptional circumstances covert surveillance can be authorised by a Head of Service and the Head of Workforce and Organisational Development, but that before authorisation of such surveillance, an impact assessment must be carried out in line with the Employment Practice Code to judge whether this arrangement is proportionate or whether there are alternatives that could be used.

The report stated that the Council does not undertake covert surveillance for minor reasons or on the 'off chance'. Only in exceptional circumstances where there is evidence of suspicion of fraud, criminal activity or malpractice by an employee is surveillance undertaken. It added that a process must be followed including completion of an 'Application for Authorisation – Directed Surveillance on Employees' form which must be authorised by a Head of Service and the completed form must be reviewed by the Head of Workforce and Organisational Development to assess its accuracy and the proportionality of the use of surveillance before final approval could then be granted.

The contractor used was Conquest Surveillance. The Council had asked its Internal Auditors to review the arrangements and they ascertained that the engagement with the contractor was not compliant with Standing Orders from a procurement perspective.

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As a result of the correspondence we have received, we have undertaken a review of the process in place at the Council for undertaking employee surveillance. In particular we have considered the Council's processes to comply with its own legal advice on the requirements in respect of undertaking employee surveillance and have considered the findings of the Council's own review into the procurement of the firm primarily used to conduct this surveillance.

Our work covered only the above specific matters in relation to employee surveillance and not surveillance activities in general.

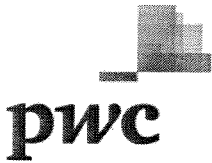
Findings

Review of compliance with legal requirements

The Council obtained legal advice from its solicitors in respect of the obligations of employers under the ICO Employment Practices Code ("the Code") on 6 March 2013 in relation to the covert surveillance of employees. We have reviewed this advice, which noted *inter alia* that:

- Surveillance must be undertaken in accordance with the Data Protection Act (DPA), Human Rights Act (HRA) and European Convention on Human Rights (ECHR);
- Whilst the DPA does not prevent the monitoring of employees by employers, any potential adverse impact of monitoring on the individuals must be justified by the benefits to the employer and others. Accordingly the Information Commissioner's Office (ICO) uses the term "impact assessment" throughout the Code to describe the process undertaken by employers to decide whether or not this is the case. It is used to judge whether a monitoring arrangement is proportionate. Section 3 of the Code states that this should involve:
 - Identification of the purpose of the monitoring and the likely benefits
 - Identification of the likely adverse impact of the monitoring
 - Considering alternatives to monitoring and the different ways it may be carried out
 - Taking into account the obligations that arise from monitoring
 - Judging whether monitoring is justified
- The Council should be able to provide evidence that an evaluation of the risks involved have been considered. Whilst there is no requirement for a written impact assessment, employers should be able to point to some form of written evidence particularly in cases involving covert surveillance;
- The Council's practice at that time which required completion of an Application for Authorisation of Directed Surveillance on Employees appears to mean that the Council is carrying out an impact assessment; and
- There should be clear rules limiting disclosure of and access to the information obtained and any that is not relevant to the investigation should be deleted.

Our work identified that surveillance was originally instigated by the Insurance and Risk Department (I&R) and that historically cases did not always go to the Human Resources Department (HR) for approval. We were informed that, as part of an ongoing review by the Head of Workforce and Organisational Development including the need to consider changes in legislation, it was determined



that further assurances needed to be introduced into the process. As a result, a temporary measure was introduced whereby all requests needed to be approved by the Head of Service and the Head of Workforce and Organisational Development. In the meantime, given the changing nature of the law, Legal Services worked with HR to design a new process which included a requirement to complete an application for surveillance to be undertaken from January 2012. We understand that the Council is considering a requirement that in addition to approval by a Head of Service and the Head of Workforce and Organisational Development, approval should also be required from the Head of Legal.

However, as at July 2013 there were still no written procedures covering the process to be followed to initiate, consider and authorise employee surveillance. At the time of our review, the Council informed us that it was consulting with the Union in order to agree a policy in this area. The Council also informed us that there was no written framework or guidance to assist officers to determine whether to proceed with surveillance; this was described as matter of judgement.

We also confirmed that historically there was no formal documentation in place to evidence consideration of an impact assessment when employee surveillance was being proposed. As noted above, such a form now exists. In respect of one instance of employee surveillance, initiated and approved by I&R prior to the introduction of the new processes, the Council was unable to provide any documentary evidence that clearly showed that such an impact assessment had been undertaken.

Conclusion

The processes underpinning the use of employee surveillance at the Council historically do not appear to have been formalised and, at least in one case this has resulted in a lack of written documentation to evidence that legal requirements have been appropriately considered prior to undertaking such surveillance.

Whilst the Council has identified the need to ensure that these processes are made more robust, there are still no formal written policies and processes setting out what is required in relation to considering the appropriateness of employee surveillance. We understand however, that such surveillance activities have been suspended pending the development of the relevant policies and processes.

The Council should ensure that such processes and policies are finalised at the earliest possible opportunity.

Review of procurement

The Council's S151 Officer asked the Council's Internal Audit Department to undertake an independent review of the procurement of the main contractor used by the Council to undertake employee surveillance services.

We note that the Internal Auditors have yet to finalise their report in this area, although we understand that their fieldwork has been completed. Their findings indicate that proper procurement processes were not followed in relation to letting this contract, which we understand has cost the Council £209,000 over a 6 year period, with over £150,000 having been spent in the three years to the end of 2013. This latter element of spend means that EU procurement rules should have been followed to let this contract.



Conclusion

The Council has previously publically acknowledged that the letting of the contract was not compliant with its Standing Orders for the procurement of services. It will be important for the Council to understand the root cause of the failure to comply with procurement requirements and to put in place actions to prevent a reoccurrence. We understand that the Procurement Department does undertake some monitoring of suppliers where there is spend of greater than £10,000 (the limit under which formal tendering for services is not required). The Council should consider whether this is a sufficient level of control going forward.

Overall conclusion

The development of employee surveillance activities at the Council does not appear to have been appropriately controlled and formalised, with little evidence of oversight. This has led, in at least one instance, to a situation where there is inadequate documentary evidence that legal requirements were followed appropriately.

The Council has responded to this by taking steps to formalise this process and it should ensure that its wider governance review seeks to identify whether there are other areas of operations where informal practices may have developed, which put the Council at risk.

We also consider that internal audit reports should be finalised and issued promptly.

Yours sincerely

A handwritten signature in black ink that reads 'Lynn Pamment'. The signature is written in a cursive style with a large initial 'L'.

Lynn Pamment



**POLICY AND RESOURCES SCRUTINY COMMITTEE
16TH APRIL 2013**

SUBJECT: SURVEILLANCE OF EMPLOYEES

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to respond to a request from Councillor Hefin David for details of surveillance undertaken on Caerphilly CBC employees and the engagement of Conquest Surveillance to undertake such activity.

2. SUMMARY

- 2.1 The report provides details of employee surveillance undertaken by the Authority and covers the legal framework for such activity, the process for agreeing employee surveillance, the background to the appointment of Conquest Surveillance and the associated costs and benefits.

3. LINKS TO STRATEGY

- 3.1 The Authority is entitled to expect the highest standards of conduct from all its employees and its conditions of service and the Code of Conduct provide that employees must not behave in such a way as to bring the Authority into disrepute.

4. THE REPORT

- 4.1 Surveillance has been considered by the Authority since 2004 and was initially used solely in relation to suspected fraudulent insurance liability claims. Subsequently, surveillance has also been used on employees who are suspected of defrauding the Authority by, for example, undertaking private work in paid Council time, abusing the sickness policy or misappropriating Council property. In some cases the referral has been made by members of the public who have contacted the Authority with details of the allegations.

4.2 Legal Framework

- 4.2.1 The Authority takes very seriously its obligations under the Data Protection Act 1998, the Human Rights Act 1998 and the Information Commissioner's Office (ICO) Employment Practice Code, as well as the general duty of care to its employees. However, it also acknowledges that in some exceptional circumstances covert surveillance may be authorised by a Head of Service and the Head of Workforce & Organisational Development where fraud, criminal activity or malpractice by an employee against the Council is suspected.

- 4.2.2 Before covert surveillance is authorised an Impact Assessment is carried out in line with the Employment Practice Code. This impact assessment is the means by which Caerphilly CBC can judge whether a monitoring arrangement is a proportionate response to the problem it

seeks to address. Sometimes, once the impact assessment is completed the covert surveillance is not carried out, as it may not be considered proportionate or an alternative approach may have been found, such as obtaining witness statements or reporting the matter to the Police. The adverse impact upon the employee is considered and surveillance is kept to the minimum required avoiding breaching any privacy.

- 4.2.3 In line with the Employment Practice Code, the Authority also specifically includes a contractual term in every agreement with a contractor to provide covert surveillance that surveillance must not be taken unlawfully and should be undertaken in a manner that reduces the impact upon the employee and should not include anyone other than the employee. The Authority also ensures that covert surveillance is strictly targeted at obtaining evidence within a set timeframe. Any other information is disregarded, and where feasible, deleted, unless information is revealed that no reasonable employer could reasonably be expected to ignore (e.g. other criminal activity or malpractice). Any information is used and stored in line with the Data Protection Act 1998.
- 4.2.4 The leading case in the area of employee surveillance is *McGowan v Scottish Water* [2005] IRLR 167 EAT. Following suspicions that McGowan had submitted falsified timesheets, Scottish Water determined that covert surveillance should be carried out on him. Evidence was gathered and McGowan was subsequently dismissed on the grounds of dishonesty in accordance with Scottish Water's disciplinary procedure. He argued that the covert surveillance had breached his right to respect for private and family life under Article 8 of the European Convention on Human Rights (ECHR). However, the Employment Appeal Tribunal held that Scottish Water was investigating what was effectively criminal activity, which is an exception to the ECHR. The surveillance went to the heart of the investigation that Scottish Water was bound to carry out to protect itself. The surveillance was not undertaken for minor or whimsical reasons and was not, therefore, disproportionate. By contrast, surveillance carried out on the "off-chance" of discovering misconduct is less likely to be considered proportionate.
- 4.2.5 In following this case and the Employment Practice Code, Caerphilly CBC does not undertake covert surveillance for minor reasons on the "off chance". Covert surveillance is only undertaken in exceptional circumstances where there is evidence of suspicion of fraud, criminal activity or malpractice by an employee against the Council and where the employee is already suspected of breaching trust and their contract of employment.

4.3 Process for Agreeing Staff Surveillance

- 4.3.1 Where there are concerns raised regarding the conduct of an employee and surveillance is being considered an "Application for Authorisation – Directed Surveillance on Employees" form must be completed (copy attached as Appendix 1). This form meets the impact assessment requirements of the Employment Practice Code and must be authorised by a Head of Service, who must ensure that the form is accurate and that the request is proportionate.
- 4.3.2 Completed applications are subsequently reviewed by the Head of Workforce & Organisational Development who will also make an assessment of the accuracy and proportionality of the request before final approval is granted. If the Head of Workforce & Organisational Development agrees the request it is referred to the Insurance and Risk Management Section for a contractor to be engaged. The contractor will receive a copy of the approved application and will undertake the requested surveillance and provide a report. A copy of the report is provided to the Head of Workforce & Organisational Development for a decision to be made on the case.

4.4 Appointment of Conquest Surveillance

4.4.1 The Authority has previously approached and utilised the services of a number of companies to undertake surveillance work but there have been issues with the quality of the surveillance captured, the timescales for instruction and the late receipt of reports from some of the companies used. Conquest Surveillance, a local company based in Blackwood, has provided a consistent and timely service for the Authority and is, therefore, the preferred contractor for surveillance work. However, when Conquest Surveillance is unable to undertake a particular assignment an alternative contractor will be engaged.

4.4.2 In preparing this report for the Scrutiny Committee the Authority's Internal Audit Section was asked to review the arrangements for employee surveillance. One of the findings of this review is that the engagement of Conquest Surveillance is not compliant with Standing Orders from a procurement perspective. As a consequence of this arrangements will now be made for a formal procurement process to be undertaken. No new employee surveillance cases will be agreed until this procurement exercise has been completed.

4.5 Costs and Benefits of Surveillance Activity

4.5.1 The expenditure on employee surveillance for the last three financial years is summarised below. With the exception of £6,000 all costs relate to services provided by Conquest Surveillance:-

Financial Year	Amount (£)
2010/11	54,205
2011/12	62,487
2012/13	39,895
Total: -	156,587

4.5.2 As part of the review work undertaken by Internal Audit an analysis has been carried out of recent employee surveillance activity leading to the total spend of £39,985 in the 2012/13 financial year. The findings are summarised below:-

Number of employees subject to surveillance (0.12% of Caerphilly CBC's total workforce)	11
Ongoing Cases	5
Cases where employee dismissed	1
Cases where employee resigned	2
Cases where employee returned to work	3

4.5.3 The financial benefits of surveillance activity are difficult to determine with accuracy but resources are saved by ceasing inappropriate sickness payments and avoiding the misuse of the Council's property. Furthermore, in some cases direct costs can be incurred where cover arrangements have to be put in place for absent staff. Consideration also needs to be given to the impact on other staff in terms of workload to cover absent colleagues and the effect that this has on staff morale.

4.6 Regulation of Investigatory Powers Act 2000

- 4.6.1 The Authority also undertakes covert surveillance under the provisions of The Regulation of Investigatory Powers Act 2000 (RIPA). The Act sets out strict controls for public authorities wishing to carry out covert surveillance of individual members of the public as part of their exercise of their statutory functions. In addition to the Act, advice and guidance is found within the Codes of Practice issued by the Home Office.
- 4.6.2 The Authority has a corporate policy which provides guidance on how surveillance should be used by the relevant officers and these activities are subject to inspection by an Assistant Surveillance Commissioner or by a Surveillance Inspector (or in some cases both).
- 4.6.3 For the period commencing 1st April 2012 and ending on 31st March 2013, the Council has undertaken 20 RIPA operations. These cover a range of activities such as investigations into the possible illegal slaughter and supply of meat to food businesses and the supply of alcohol and tobacco to minors. Full details will be reported to the Audit Committee shortly.
- 4.6.4 All of the RIPA operations have been duly authorised under the statutory provisions, which now includes judicial approval before the operation is commenced. All covert surveillance operations authorised under RIPA have been undertaken by Caerphilly CBC staff.
- 4.6.5 As mentioned in paragraph 4.1 surveillance has also been used in relation to suspected fraudulent insurance liability claims against the Council. Where such surveillance has been required it would have been requested by our insurers, arranged and paid for through our claims handlers or solicitors and carried out under the RIPA process. During the last three years there have been no cases of surveillance on members of the public in relation to personal injury claims.
- 4.6.6 RIPA does not apply in relation to employee surveillance and judicial approval is not required. However, the process for agreeing staff surveillance as set out in Section 4.3 of this report is in line with the spirit of the Act.

5. EQUALITIES IMPLICATIONS

- 5.1 A full Equalities Impact Assessment has not been undertaken on this report, which is for information purposes only. There are, however, clear Equalities and Human Rights issues involved in operating any form of surveillance on employees who are entitled to the right of privacy, liberty etc. under the Human Rights Act.
- 5.2 This of course has to be balanced against the Council's duties and responsibilities as noted under Section 4 and so the use of directed surveillance is strictly governed and only used where no alternatives are available.
- 5.3 There may be equality related issues linked to a long-term sickness case, for example where relevant information gathered by surveillance could prove/disprove any allegations of fraudulent behaviour by an employee. However, question 8 of the application form (as shown in Appendix A) is intended to ensure that any information that can be gathered by other means should be a first port of call.
- 5.4 The application form also takes into account the impact that surveillance has on other people, not only the employee under direct surveillance. Question 7 asks about collateral intrusion to ensure that people not involved in the particular case do not have their rights violated by Council actions.
- 5.5 The Council's procurement process since 2011 includes a comprehensive Equalities and Welsh language statement as well as a Pre-Tender Questionnaire that will be used during any future procurement process for a contractor to undertake employee surveillance.

6. FINANCIAL IMPLICATIONS

- 6.1 The total cost of employee surveillance for the last 3 financial years is £156,587.
- 6.2 The Authority's proactive approach to risk management has generated substantial savings in insurance costs since 1996 and a report will be presented to Cabinet on the 30th April 2013 outlining further savings arising from a recent tendering exercise for insurance cover. These savings will be available to support the Authority's Medium-Term Financial Plan (MTFP).

7. PERSONNEL IMPLICATIONS

- 7.1 Employee surveillance is undertaken in line with the requirements of the ICO's Employment Practice Code.

8. CONSULTATIONS

- 8.1 There are no consultation responses that have not been reflected in this report.

9. RECOMMENDATION

- 9.1 Members are asked to note the contents of this report and subject to the views of the Policy and Resources Scrutiny Committee and Cabinet that a formal procurement process will be undertaken for a contractor to undertake employee surveillance.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 To ensure that Members are informed of the process for employee surveillance in Caerphilly CBC and that Standing Orders are followed for the procurement of such activity.

11. STATUTORY POWER

- 11.1 Local Government Act 1972.

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Consultees: Cllr H.W. David – Chairman, Policy & Resources Scrutiny Committee
Cllr J. Summers – Vice-Chairman, Policy & Resources Scrutiny Committee
Cllr K. Reynolds – Deputy Leader and Cabinet Member for Corporate Services
Cllr C. Forehead – Cabinet Member for Human Resources and Governance
N. Barnett – Acting Chief Executive
G. Hardacre – Head of Workforce & Organisational Development
D. Perkins – Head of Legal Services
S. Harris – Acting Head of Corporate Finance
L. Lucas – Head of Procurement
G. Williams – Monitoring Officer / Principal Solicitor
A. Price – Barrister, Legal Section
S. Ruddock – Insurance & Risk Manager
D. Thomas - Senior Policy Officer (Equalities and Welsh Language)

Appendices: Appendix 1 – Application for Authorisation, Directed Surveillance on Employees

Unique Reference Number	
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CAERPHILLY COUNTY BOROUGH COUNCIL

APPLICATION FOR AUTHORISATION DIRECTED SURVEILLANCE ON EMPLOYEES

	Caerphilly County Borough Council Penallta House Tredomen Park Ystrad Mynach Hengoed CF82 7PG.		
Name of Applicant		Department	
Full Address	Caerphilly County Borough Council Ty Penallta Tredomen Park Ystrad Mynach Hengoed CF82 7PG		
Contact Details	e-mail - Tel -		
Employee Name			
Investigating Officer (if a person other than the applicant)			

Unique Reference Number	
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DETAILS OF APPLICATION

1. Give position of authorising officer.

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2. Describe the purpose of the investigation.

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3. Describe in detail the surveillance operation to be authorised and expected duration, including any premises, vehicles or equipment (e.g. camera, binoculars, recorder) that may be used.

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4. The identities, where known, of those to be subject of the directed surveillance.

- Name:
- Address:
- DOB:
- Other information as appropriate:

Unique Reference Number

5. Explain the information that it is desired to obtain as a result of the directed surveillance.

6. Identify on which grounds the directed surveillance is necessary.

**7. Supply details of any potential collateral intrusion and why the intrusion is unavoidable.
Describe precautions you will take to minimise collateral intrusion**

8. Explain why this directed surveillance is proportionate to what it seeks to achieve. How intrusive might it be on the subject of surveillance or on others? And why is this intrusion outweighed by the need for surveillance in operational terms or can the evidence be obtained by any other means?

9. INDICATE THE LIKELIHOOD OF ACQUIRING ANY CONFIDENTIAL INFORMATION:

Unique Reference Number	
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10. Applicant's Details.

Name (print)		Tel No:	
Grade/Rank		Date	
Signature			

11. Authorising Officer's Statement.

I hereby authorise directed surveillance defined as follows: [*Why is the surveillance necessary, whom is the surveillance directed against, Where and When will it take place, What surveillance activity/equipment is sanctioned, How is it to be achieved?*]

Date of first review

Programme for subsequent reviews of this authorisation: [Code paragraph 4.22]. Only complete this box if review dates after first review are known. If not or inappropriate to set additional review dates then leave blank.

Authoriser's Name (Print)

Grade / Rank

Signature

Date and time

Expiry date and time [e.g.: authorisation granted on 1 April - expires on 30 June]