



University of East Anglia

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██████████  
  
28 October 2016

Dear ██████████

**Freedom of Information Act 2000 – Information request (ref: FOI\_16-203)**

We have now considered your request of 12 October 2016 for information relating to UEA 'surveillance' activities. For clarity, we are reading your request as pertaining to the monitoring activities noted in [UEA's Conditions of Computer Use](#)<sup>1</sup> (CoCU) document which you cite and note as 'surveillance' in your request.

Our response is on pages 3-4 of this letter, together with a copy of your request.

On this occasion it is not possible to provide all the requested information. In line with your rights under section 1(1)(a) of the Act to be informed whether information is held, we confirm that the University does not hold information on whether any breaches of our surveillance code have been reported in the last ten years and what action was taken.

We hope this information will meet your requirements, however if you are not satisfied you have the right of appeal. If you wish to appeal, please set out in writing your reasons for appealing and send to the above address. You must appeal within 60 calendar days of the date of this letter. Any appeal received after that date will not be considered nor acknowledged. This policy has been reviewed and approved by the Information Commissioner's Office.

You also have a subsequent right of appeal to the Information Commissioner's Office. Further information is available on their website:

[https://ico.org.uk/Global/contact\\_us](https://ico.org.uk/Global/contact_us), or by telephone on 0303 123 1113.

Please note that any material over which UEA has copyright is released on the understanding that you will comply with all relevant copyright rules regarding reproduction and/or transmission of the information provided.

Please quote our reference given at the head of this letter in all correspondence.

Yours sincerely

Dave Palmer

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<sup>1</sup> <https://portal.uea.ac.uk/documents/6207125/7465906/Section+3+Conditions+of+Computer+Use.pdf>

Information Policy and Compliance Manager  
University of East Anglia

## Response to Freedom of Information Act 2000 request (FOI\_16-203)

*I have also recently discovered a copy of the university's policy on computer use issued in June 2016 (1), this had been requested by my original FOI request but not provided. The regulations cover "connection to PCs using remote desktop tools" [3.14 (h)] and threaten more invasive surveillance with "reasonable grounds" [4. (b)]. In short your NON-EXISTENT policy covers the surveillance programs that you have DENIED having.*

*Given your evident desire to co-operate, I request that you answer my original & supplementary questions,*

*6) Which staff conduct the surveillance (positions/training)?*

The [University policy on network monitoring](#)<sup>2</sup> establishes the ISD as the unit with responsibility for monitoring use of the network and further mandates that responsibility for investigation of any incidents detected by network monitoring rests with the Strategy, Policy and Compliance team within ISD.

*7) Who commissions & supervises the actual surveillance exercise?*

Section 3.14(h) of CoCU states that any monitoring activities undertaken under CoCU for investigative purposes by IT support staff must be approved by the Assistant Director Strategy, Policy and Compliance, or by a member of the Information Services Directorate Management Team.

Section 5(a) of CoCU further states that any direct monitoring of users can only be authorised by Director of Information Services, or their authorised deputies, in consultation with the Human Resources Division (or the Student Support Service in the case of student users).

*8) Are audit records maintained (reasons for surveillance, notes on discovery, agent's & supervisor's names)?*

Any investigation into potential computer misuse will create and maintain an action record in line with investigation procedures.

*9) Are suitably redacted audit records available for public inspection (for how long)?*

Audit records are not published but are available under UK legislation such as the Freedom of Information Act 2000 and the Data Protection Act 1998.

Records are held in line with the ISD records retention schedule which expects records relating to an investigation to be held for no longer than 1 year after last action on the case.

*10) What happens to the subject's personal data & research once it has been liberated?*

Actions will depend on the nature of the case and handled on a case by case basis. Material gathered in the course of an investigation will be filed against a case number

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<sup>2</sup> <https://portal.uea.ac.uk/documents/6207125/8136051/GISP15.pdf>

and held for a period determined by the relevant departmental records retention schedule.

*11) Have any breaches of your surveillance code been reported in the last ten years and what action was taken.*

**[Information not held, s.1(1)(a), Freedom of Information Act]**

There have been no reports in the last ten years of breaches of our approach to monitoring as described in CoCU.

*12) Are students informed of the surveillance capabilities such that they can watch for data thefts.*

The CoCU document is available to all students via our website and students must accept the provisions of CoCU as a condition of registration at UEA and part of the general regulations for students. An annual email reminder to all students of the terms and conditions of CoCU is also provided.

*13) Are staff aware of their reporting responsibilities when alerted to potentially unwarranted/excessive surveillance?*

Unwarranted or excessive surveillance is potentially an instance of computer misuse and may be contrary to UK law. All users including staff are encouraged to report computer misuse pursuant to section 6 of CoCU.