*All gists in the following extract have been double-underlined

Comms to the SIS database users 01/06/2014 – 04/11/2015

12/06/2014 – The SIS database - Avoid a breach: guidance on 'self-searching'

SUMMARY

-By default, searching for your own records on the database is not an appropriate use of the system.

-Where you believe there is an operational reason to do so that would be necessary and proportionate, you should consult the relevant team before you conduct such a search to avoid the risk of a breach.

Dear database Users

In preparing for the arrival of the updated version of the database, we have been updating the Code of Practice that sets out acceptable usage of the system. This new version of the Code of Practice will be circulated in due course but in the meantime, we wanted to draw your attention now to one aspect in particular.

To avoid any ambiguity about what constitutes acceptable use, we have updated the guidance on conducting searches in the database on your own details. This is in the section that lists things you must not do on the system. This is the default position because searching on your own records will inevitably lead to collateral intrusion into the records of other people, due to the way the database presents search results.

However, you will be aware that there could be occasions when it is appropriate to conduct a search on your own details, when it is necessary to fulfil the Service's functions (national security, economic wellbeing, detection/prevention of serious crime) and when a 'self search' would be proportionate to those aims. If you find yourself in the position where you think a 'self search' would be necessary and proportionate, the Code of Practice now states explicitly that you should consult the relevant team before you conduct the search to discuss the proportionality issues. Consulting after you have conducted the search is putting yourself at risk of a breach.

We have made this change to the Code of Practice because the Intelligence Services Commissioner is clear about where to draw the line in deciding what is a proportionate 'self search', while that line is not always so obvious to a database user. An example of an inappropriate 'self search' would be to use the database to remind yourself where you have travelled so you can update your records. This is not a proportionate use of the system, as you could find this information by another means (i.e. check the stamps in your passport or keep a running record of your travel) that would avoid collateral intrusion into other people's data. This type of search would attract a serious breach. The context of every 'self search' matters and what is appropriate in one situation may not be in another. The relevant team are here to provide guidance that should help you to be ready to justify your search if you are called upon to do so - either as part of the database audit process or by the Commissioner.

If you have any questions on this issue, please contact me directly and I would be happy to discuss them with you. Best regards,

01/06/2015 – Proportionality and the database

Dear database users

This is a reminder that it is always important to search other SIS tools and any other sources available before you go to the database. This is so that you have gathered as much biographical information about your subject as possible before you search in bulk personal data. You should then use as many search terms as possible in your initial the database search to minimise collateral intrusion. For example, if you know the date of birth as well as the name, you must include it to reduce collateral intrusion and filter out results that are unlikely to be related to your target. [redacted].

The database searches carry the risk of collateral intrusion into the privacy of people who are not intelligence targets. Following the guidance above will help to minimise this effect by ensuring you are positively identifying the subject of your search as efficiently as possible. You will be challenged on searches where you have not followed this guidance and asked to justify your approach. Failure to follow the guidance with no good reason could lead to a breach. If in doubt, please seek advice from your [redacted] analyst in the relevant directorate or from me.

[redacted]

If you need advice or have any questions about what is written in the guidance, please don't hesitate to contact me.