A picture containing drawing

Description automatically generated**Social Media Review: Request Form**

**It is recognised that the use of the internet and, in particular, social networking sites such as Facebook, can provide useful information for council staff carrying out investigations or gathering evidence when dealing with service users.**

**However, accessing an individual’s or company’s internet and social networking sites may potentially fall within the definition of covert directed surveillance, which would require authorisation to be sought from a magistrates court or senior officer.**

**Where a Social Worker considers it necessary to view a social networking site to investigate an allegation or an individual, the following form should be completed and sent to** [**csdpaauthorisations@wirral.gov.uk**](mailto:csdpaauthorisations@wirral.gov.uk)

**You will then receive a response with advice and guidance with how to proceed, access and store information retrieved.**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **A) Details of Enquirer** | | | | |
| **Public Authority**  *Including Full Address* | |  | | |
| **Name of Employee** |  | | **Department** |  |
| **Contact Details** | |  | | |
| **B) Details of Data Subject** | | | | |
| **Family Details**  *Including Name/Address and Liquid Logic I.D* | |  | | |
| **C) Details of enquiry and background** | | | | |
| **1 - Are the subject aware of the enquirer making social media checks?**  *If not, set out reasons. See council privacy notice for guidance:* [*https://www.wirral.gov.uk/about-council/freedom-information-and-data-protection/privacy-notice*](https://www.wirral.gov.uk/about-council/freedom-information-and-data-protection/privacy-notice) | | | | |
| **2 - What information is required?**  Is this in relation to a specific concern, event or incident? | | | | |
| **3 - Why is the information required?**  *Be specific, what are you trying to achieve? Searches should not be speculative in nature.* | | | | |
| **4 - Is there a ‘Crime’ under investigation or otherwise, linked to these events/incidents***.*  *This may require a different authority.* | | | | |
| **5- Is the need to access the identified person’s Social Media proportionate to the objectives/concerns?**  *is it relevant to real time incidents or events happening now or directly relevant to the objective/purpose of the enquiry?* | | | | |
| **6 - Is the enquiry likely to need more than one ‘visit’ to a profile or site?**  *This may require a separate authority if covert/monitoring activity.* | | | | |
| **D) Information Governance** | | | | |
| **1- How do you intend on using the information, where do you anticipate this information to be stored, how will retention/disposal be managed?**  *E.G. Retained on case records. Weeding in line with LA/Directorate Policy.* | | | | |
| **2 - Social Media Name/Profile Details**  *If known. This will assist in removing or minimising any collateral intrusion.*  ***Enquirers should not undertake searches to establish this information.*** | | | | |
| **3 - Reasonably anticipated collateral intrusion**  *a) Are there other people, not connected, whose personal data may be obtained during any enquiry? This may include images.*  *b) How will the enquirer manage this? Can this be minimised? (Specific dates, times, events and accurate profile names will support the minimisation of any unnecessary intrusion should an enquiry be conducted).* | | | | |

**DECISION OF AUTHORISING OFFICER/RIPA COORDINATOR**

( delete the paragraphs that are not applicable)

1. A RIPA authorisation is not required because

(i)no possible criminal offence attracting a sentence of 6 months or more imprisonment will be investigated; and/or

(ii)I am only authorising the following steps to be taken which do not amount to repeated and systematic monitoring of a persons social media site/profile but to the performance of the Council’s general observational duties;

(ii) I consider this action to be a proportionate response to the need to ascertain whether there is evidence that….

My reasons are;

(iii) The following measures should be taken to minimise the risk of unnecessary invasions of privacy OR

1. Whilst a RIPA authorisation is not possible for the following legal reasons I consider that no further viewing of the social media site/profile should be permitted unless and until a formal application has been successfully made to an Authorising Officer for permission to carry out repeated and systematic monitoring of the relevant social media site/profile using the RIPA form as a template and providing the information requested in that form.

OR

(c ) The surveillance requested will require a formal application for authorisation of covert surveillance under RIPA for the following reasons:

I therefore direct that no further monitoring of the social media site/profile be undertaken pending the outcome of that application.

DATE

Authorising Officer/RIPA Co-ordinator

**INFORMATION OBTAINED AS A RESULT OF THE ACTION AUTHORISED BY THE AUTHORISING OFFICER/RIPA CO-ORDINATOR**

**Guidance on storage and retention**

Guidance on handling and retention of the records involved:

Results that find their way to a child’s case file should be retained with them in line with the level of social care intervention for the case; this would include screen images if they are of value.

Storage:

All data obtained should be stored in a content management system (e.g. Liquid Logic).

The records and files should not be stored in Microsoft Teams or on a shared drive.

For the retention of enquiry / request records:

**•** All centrally-held records of requests for which the decision is made not to progress to an enquiry will be retained for 1 year from that decision

• All centrally-held records of requests for which the decision is made to progress to an enquiry will be retained for 3 years from the completion of the enquiry