



Investigatory Powers
Commissioner's Office

PO Box 29105, London
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Ms Toman
Chief Executive
Blaby District Council

2 July 2020

Dear Ms Toman,

Inspection of Blaby District Council

Please be aware that IPCO is not a “public authority” for the purpose of the Freedom of Information Act (FOIA) and therefore falls outside the reach of the FOIA. It is appreciated that local authorities are subject to the FOIA and that they may receive requests for disclosure of our reports. In the first instance the SRO should bring the matter to the attention of the IPCO Data Protection Officer (at: info@ipco.org.uk), before making any disclosure. This is also the case if you wish to make the content of this letter publicly available.

Your Council was recently the subject of a remote inspection by one of my Inspectors, Mrs Samantha Jones. This has been facilitated through your Senior Responsible Officer (SRO) Mr John Richardson, Strategic Director, who was interviewed over the telephone and to whom thanks are due for his engagement not only at a time of unprecedented demands on local authorities, but also at a time when Leicestershire was put under local lockdown due to the current pandemic.

The information, assurances and oversight provided by Mr Johnson has demonstrated a level of compliance that removes, for the present, the requirement for a physical inspection.

The last inspection of Blaby District Council took place, by way of a questionnaire, during June 2016 by Sir David Clarke who made one recommendation. This was to bring the existing RIPA policy up to date in relation to an improved explanation of the criteria for judging when an informant is (or may be) a CHIS, and in respect of the use of social media in investigations. I am assured by the SRO that the RIPA policy was updated to include the said amendments in 2018, therefore this recommendation can now be discharged. The policy was reviewed again in 2019, however no further amendments were made at that time. On both occasions the policy was put before Elected Members as part of an annual report to the Scrutiny Committee in line with the Codes of Practice. No further recommendations are made as a result of this 2020 inspection process.

It must be emphasised that your Council has not exercised its RIPA powers since pre-2010 and there is nothing to suggest this position will change soon. However, it remains of great importance that officers engaged in investigatory or enforcement areas where RIPA considerations are not so immediately apparent, maintain their levels of knowledge and know whom to approach for guidance. It is therefore reassuring to note that the SRO undertook external training himself in 2018 and additional training was provided to relevant staff in departments across the council structure, again by an external provider, in 2019. This will undoubtedly assist to reinforce corporate knowledge of RIPA.

In discussion with Mr Johnson it was clear the Council is alive to the possibility of online social media research being carried out. No covert profiles are utilised and oversight by Managers, the Coordinating Officer within Legal Services, and the SRO, provide assurances that any research undertaken does not drift into surveillance or CHIS territory. It was pleasing to note that there are several separate policies in place to highlight to staff the dangers aligned to using personal social media accounts for business purposes, especially those of a covert nature, and that they are cognisant of their own personal online security.

It is understood that your Council is registered with the National Anti-Fraud Network (NAFN) for the purposes of obtaining communications data, although no applications have been made since the last inspection. However it is worth noting that, in addition, registration with NAFN can provide lawful access to other forms of data from the DVLA, Equifax and a variety of other financial/fraud check organisations, and might also include, in the future, Automated Number Plate Recognition (ANPR) data.

As part of the inspection process, the Council's stance on the review and destruction of documentation was also assessed. The Central Register is comprised of an Excel spreadsheet held by the Coordinating Officer although it does not contain any information at present due to the length of time since the last authorisation was granted. The SRO was also aware of the pathways in which data would be held should it be obtained in the future. As well as the RIPA policy, there is a separate Retention and Disposal policy document, and assurances were given by Mr Johnson that both contain destruction dates in accordance with the Codes of Practice.

I hope that this telephone-based inspection has proved be helpful and constructive. My Office is available to you should you have any queries following the inspection, or at any point in the future. Contact details are provided at the foot of this letter.

I shall be grateful if you would acknowledge receipt of the report within two months.

Yours sincerely,



The Rt. Hon. Sir Brian Leveson
The Investigatory Powers Commissioner