



Investigatory Powers
Commissioner's Office

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Mr Chris Elliott
Chief Executive
Warwick District Council
Riverside House
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2 September 2021

Dear Mr Elliott,

Inspection of Warwick 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 virtual inspection by one of my Inspectors, Mr Paul Gratton. I am grateful to Mr Richard Barr, your Audit and Risk Manager and RIPA Coordinator, for organising the inspection and providing the required documentation, and to Mr Andrew Jones, Deputy Chief Executive and RIPA Senior Responsible Officer for leading on the discussion.

As a result of the inspection Mr Gratton has made a small number of recommendations which are detailed below, and I would be grateful if they could be addressed at the earliest opportunity:

Covert Surveillance Policy

Mr Gratton was impressed with your RIPA policy; it is clearly written, easy to follow and covers all the relevant points in sufficient depth without being unnecessarily wordy. There are some amendments and additions required to keep the policy relevant and up to date. Paragraph 5.3 details incorrectly the level of authorisation for applications likely to acquire confidential information, and should be amended to refer such applications to yourself as the Chief Executive. The variation in the authorisation period for a Juvenile CHIS should also be highlighted. While there is a specific Data Management policy in place for the organisation, this subject is not covered in the RIPA policy. The management of any surveillance product should be included, with clear reference to the safeguarding measures outlined in the Home Office Codes of Practice for Covert Surveillance and CHIS.

Training and awareness

I note you have not conducted any training for at least 18 months, which, although not ideal, is understandable taking into account the ongoing pandemic. I do understand that training budgets are somewhat limited and bearing in mind Warwick District Council has not conducted any RIPA activity in recent times, RIPA training could easily slip down the list of priorities. That said, many RIPA errors occur because of the lack of knowledge and therefore some method of raising awareness across the organisation should be implemented. I note that you are considering the use of 'Meta Compliance' technology to ensure relevant staff increase their understanding of the legislation, which seems a good start.

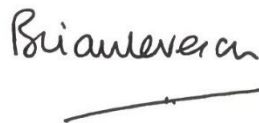
In conclusion, although your Council is a limited user of its surveillance powers, I take the opportunity here to reiterate to you the importance of regular, ongoing internal oversight of the actual or potential use of these powers. Your organisation appears to be in good hands through a knowledgeable RIPA Coordinator and a well-informed Senior Responsible Officer.

I note the ongoing consultation relating to the proposed merger with Stratford District Council which has a target date of April 2024 and I would appreciate being kept informed of any developments.

I hope that you find this letter to be helpful and constructive. My Office is available to you should you have any queries following the recent 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,

A handwritten signature in black ink, appearing to read 'Brian Leveson', with a horizontal line drawn underneath it.

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