



Office of Surveillance
Commissioners



Chief
Surveillance
Commissioner

Official -Sensitive

24 January 2017

OSC Inspection

Dear *Chief Executive,*

I enclose a copy of the report dated 12 January 2017 prepared by His Honour Norman Jones QC, Assistant Surveillance Commissioner, following his inspection of the arrangements made by the Council to secure compliance with the statutory provisions which govern the use of covert surveillance.

I have studied the report and endorse it.

The report immediately acknowledges the rather dramatic changes which have taken place in the governance of the Council. In the unusual circumstances it is to the credit of the officials vested with responsibility for securing compliance with complex RIPA provisions that despite these changes, the recommendations made following the inspection in 2014 have been effectively addressed. Moreover although the report includes a number of recommendations, the conclusion that it maintains a system "as good as the best found in other local authorities" is a considerable tribute. His Honour is not given to paying unmerited compliments.

The recommendations are self-explanatory. There is a continuing need not only for training, but in effect for widening the programme of training to raise awareness of the statutory provisions, not least in the context of the use of social media sites and the Internet for investigative purposes. Such use is legitimate, but there are circumstances in which it may fall within the legislative provisions, and officials, acting in good faith, vested with responsibilities, for example, for the protection of children, and the welfare of vulnerable adults, unless aware of the provisions, may inadvertently find that they have acted or are acting unlawfully. Beyond raising awareness generally, the Policy document requires some amendments, including but not limited to a section relating to the use of social media. The third recommendation also involves a training element, directed to the possible future use of CHIS should the need arise.

The report includes a number of more general comments and suggestions which will no doubt be given the serious attention they deserve. It is not necessary for me to identify them, but I choose as examples only, paragraph 13, which has already been discussed, and paragraph 29, which relates to informing elected Councillors of the use, or non-use of the legislative powers.

Yours sincerely,

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