

IPCO

Investigatory Powers
Commissioner's Office

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Mr Christian Allen
Assistant Director - Regulatory
South & East Lincolnshire Councils Partnership

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09 January 2024

Dear Mr Allen,

Thank you for providing IPCO with your response on behalf of South Holland District Council, Boston Borough Council, and East Lindsey District Council to the matters identified at points 1 to 10 of my organisation's letter dated November 2023.

I note that you are in the final stages of amalgamating into one policy and procedure, and that you have recognised training and knowledge requirements within South Holland District Council in particular, which you have planned to address.

I am satisfied that your reply to the other matters identified provides your assurance that ongoing compliance with RIPA 2000 and the Investigatory Powers Act 2016 will be maintained. As such, your Council will not require further inspection this year.

I would ask that you ensure that the key compliance issues continue to receive the necessary internal governance and oversight through your Chief Executive and yourself as Senior Responsible Officer: policy refreshes where necessary; updates to your Elected Members or to a scrutiny panel independent of authorisation; internal compliance monitoring by lead managers within their business areas; and the retention, review and destruction (RRD) of any product obtained through the use of covert powers (Records and Product Management in accordance with the Safeguards Chapters of the relevant Codes of Practice).

Whilst RIPA legislation changes infrequently, Local Authority use may increase particularly in relation to social media and open-source enquiries that are often used by Trading Standards, Anti-Social Behaviour, and Licensing Officers. It is prudent to ensure that any training and awareness, and policies reflect your operational use.

I draw your attention to the Covert Human Intelligence Source Revised Code of Practice (December 2022) which postdate your most recent policy revision. Specifically in relation to authorisation periods for juvenile CHIS. Whilst absent from the 2021 joint RIPA policy, reference was made to redundant legislation within the South Holland District Council Policy.

I will be grateful if you could provide my Inspector with a copy of the final policy and procedure for review once it has completed.

Your Council will be due its next inspection in 2027, but please do not hesitate to contact my Office if IPCO can be of assistance in the intervening period.

Please bring this concluding letter to the attention of your Chief Executive, and any other parties whom you consider appropriate.

Yours sincerely,

Brian Leveson



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