



Investigatory Powers
Commissioner's Office

PO Box 29105, London
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Ms Judith Greenhalgh
Chief Executive
Denbighshire County Council
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Ruthin
Denbighshire
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19 March 2021

Dear Ms. Greenhalgh,

IPCO Surveillance and CHIS Inspection of Denbighshire County Council

Your Council was recently the subject of a remote inspection by one of my Inspectors, Graham Wright, who looked at your use of powers and procedures in relation to directed surveillance and CHIS. This was facilitated through Gary Williams (Head of Legal, HR and Democratic Services and Senior Responsible Officer for RIPA) as well as Lisa Jones (Legal Services Manager and RIPA Monitoring Officer), who provided information during professional discussion.

The information provided has demonstrated a level of compliance that removes, for the present, the requirement for a physical inspection. Your Council has suitably discharged the recommendations made in the previous inspection of 2018 and there have been no authorisations granted since then.

My Inspector has reviewed your Council's RIPA Policy. This provides very accurate, complete and practical advice and guidance to practitioners. The advice regarding use of covert online activity has been added as a result of a recommendation made in the previous inspection.

Although your Council has not exercised its powers since October 2018, the SRO was reminded of the importance of ensuring that the designated authorising officers maintain their level of training. The last training was delivered on 9th May 2019 to key officers with RIPA oversight responsibilities and it was intended that the knowledge gained from that course would be used to update inhouse training planned for 2020. The pandemic prevented this training from taking place. The RIPA Working Group is due to discuss the issue of training in the near future. It is intended that further training will take place in 2021.

The Council owns town centre CCTV systems and the SRO has stated that these have not been used covertly since the date of the last inspection. There is a protocol agreed with North Wales Police regarding their usage of the system and the need for an authorisation under RIPA if that usage is covert.

In accordance with section 4.47 of the Home Office Covert Surveillance and Property Interference Code of Practice, the SRO has confirmed that you provide Elected Members on the Corporate Governance Committee with an annual report sufficient to enable them to determine that the Council's policy remains fit for purpose, together with regular reports on RIPA activity (or inactivity).

In relation to Data Assurance safeguards; the Council already has a Data Protection Act policy and Information Asset Register, and the RIPA policy gives clear advice regarding the secure management and retention of surveillance material. However, the RIPA Working Group will seek to carry out further assurance work in order to address fully the six action points in the letter that I sent in September 2020 regarding this issue.

In conclusion, it must be emphasised that although your Council has not exercised its RIPA powers since 2018, it is vital that the relevant staff are appropriately trained should the need to authorise covert activity arise. It is also important that officers engaged in investigatory areas where RIPA considerations are not so immediately apparent (for example Children's Services), maintain their levels of knowledge and know whom to approach for guidance. The SRO has given assurances to the Inspector that the integrity of your Council's processes and governance procedures will be maintained to ensure that high standards of compliance with the Act and relevant codes of practice are achieved.

I hope that this telephone-based inspection has proved to be a worthwhile exercise. 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 this letter within two months.

Yours sincerely,



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

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