



**Investigatory Powers Commissioner's Office**  
PO Box 29105  
London  
SW1V 1ZU

By email only: [info@ipco.org.uk](mailto:info@ipco.org.uk)

**Our Ref** N/A  
**If you telephone** 0151 511 6006  
**please ask for** Mark Reaney  
**Your ref** Unknown  
**Date** 9th August 2023  
**E-mail address** [Mark.Reaney@halton.gov.uk](mailto:Mark.Reaney@halton.gov.uk)

Dear Sirs

## IPCO Inspection Response

We write further to your letter dated 5 July 2023 requesting a written update on our compliance with RIPA 2000 and the Investigatory Powers Act 2016. Our response to the specific questions you have asked are set out below:-

1. No areas of non-compliance were identified at our last inspection.
2. The Council's RIPA Policy and accompanying Employee Guide are kept under review. A recent review has been carried out and updates have been made. The updated RIPA Policy and Employee guide are due to be submitted to our Elected Members for approval in September 2023.
3. Training, both initial and ongoing, is provided to key officers and delivered in-house or by external companies, such as ACTNOW. The last in-house training was delivered on 10 March 2023 and open to enforcement officers and all managers so that awareness could be cascaded down. The Council is also a member of the National Anti-Fraud Network ("NAFN") and takes advantage of its training resources. Key officers have attended the following courses:-

### 2022

12/01/22 NAFN Investigatory Powers Act 2016  
18/03/22 Practical experience on the use of communications data analysis in Trading Standards Investigations

### 2023

06/06/23 Gough Square Chambers – Powers: Test Purchase and Surveillance  
24/07/23 IPA Introduction and Overview (NAFN)  
25/07/23 IPA Data Sources (NAFN)  
26/07/23 IPA Navigation (NAFN)

4. A Central Record is stored electronically and a hard copy is securely kept in Legal Services. The record is maintained and kept up to date by the designated RIPA Co-Ordinator in accordance with the requirements of the relevant Codes of Practice. This is detailed further in section 6 of the Employee Guide.

## It's all happening **IN HALTON**

### Policy & Resources

Municipal Building, Kingsway, Widnes, Cheshire WA8 7QF  
Tel: 0303 333 4300

[www.halton.gov.uk](http://www.halton.gov.uk)

5. The SRO is the Council's Operational Director (Legal and Democratic Services) and we have a number of Authorising Officers, including 3 Group Solicitors and the Chief Executive, as set out in our RIPA Policy and the Council's Constitution.
6. The Council's policy on the use of social media as part of investigations/ enforcement activities is set out in section 5 of the Employee Guide. The RIPA training delivered on 10 March 2023 also covered such use and officers were referred to the relevant sections of the Codes of Practice.
7. The training on 10 March 2023 included the use of social media and the potential for inadvertent, unauthorised use. Procedures are in place to monitor and restrict social media use. For example, in Trading Standards, there is a designated computer and officer for accessing social media and capturing evidence. Detailed records of use are maintained and reviewed by the manager of that team, where appropriate. Staff Awareness briefings are also planned to take place later this year to coincide with the implementation of our updated policy (once approved by Members). Furthermore, the Council has a wider policy on the use of ICT Equipment and Social Media.
8. The Council operates its town centre CCTV in accordance with the Council's RIPA Policy and "Code of Practice for the Operation of Public Space Closed Circuit Television". The Council also has a Joint Protocol for the use of Local Authority CCTV in Covert Policing Operations with Cheshire Constabulary.
9. The Council is a member of NAFN and is aware how access to communications data is managed through the Office for Communications Data Authorisations.
10. The Council has recognised the Safeguards outlined in the relevant Codes of Practice in relation to the retention, review and destruction of material in its Employee Guide. Material obtained as a result of previous RIPA authorisations are in the process of being reviewed and destroyed where necessary, in accordance with the Council's retention policy.
11. We have not used the powers since our last RIPA inspection. This is due to the Council's preference to use overt surveillance and the impact that the Covid Pandemic has had on the Council's enforcement operations. At the time of writing, the Council does not have any plan to use the power imminently.
12. N/A

Yours faithfully

**Mark Reaney**  
Operational Director – Legal and Democratic Services & Monitoring Officer  
**Halton Borough Council**