



Cyngor Sir  
**CEREDIGION**  
County Council

Swyddog Arweiniol Corfforaethol : Gwasanaethau Cyfreithiol a Llywodraethu  
Corporate Lead Officer : Legal Services and Governance

**Elin Prysor**

Canolfan Rheidol, Rhodfa Padarn,  
Llanbadarn Fawr, Aberystwyth. SY23 3UE  
[www.ceredigion.gov.uk](http://www.ceredigion.gov.uk)

Dyddiad Date	2 November 2022
Gofynnwch am Please ask for	Elin Prysor
Llinell uniongyrchol Direct line	01545 570881
Fy nghyf My ref	
Eich cyf Your ref	
Ebost Email	<a href="mailto:Elin.Prysor@ceredigion.gov.uk">Elin.Prysor@ceredigion.gov.uk</a>

Dear [REDACTED],

I refer to the reports issued by The Rt. Hon. Sir Brian Leveson dated 16<sup>th</sup> September 2022, following your recent inspection of Ceredigion Council.

The report and this response will be presented to the Council's Overview and Co-ordinating Scrutiny Committee on the 23<sup>rd</sup> of November 2022, and to its Governance & Audit Committee on the 19<sup>th</sup> of January 2023.

May I take this opportunity to thank you for your valuable advice and assistance offered during the inspection meetings.

The key findings are extracted from the report and shown below.

The Council's comments are shown below in red:

- There were three observations made following the 2019 inspection and appropriate action has been taken. The matters are discharged.

**Noted and agreed**

- CCC has not granted any CHIS or directed surveillance authorisations since the last inspection. The use of appropriately authorised covert investigative techniques has been considered, although not utilised. The use of directed surveillance and CHIS may be used in future providing there is a genuine need and authorisation requirements are met.

**Noted and agreed**

- RIPA training was provided in 2019 following the last IPCO inspection. In addition, training sessions designed to provide an overview of RIPA and its relationship with Article 8 Human Rights, whilst also enabling staff to develop an understanding of the activities which may require authorisation, were held on 08/09/2020, 09/02/2021 and 28/02/2022. These sessions are aimed at staff who may need to consider seeking a RIPA authorisation, along with those who are responsible for authorising activity. This is good practice.

Agreed. A further training session took place on 30/9/22. 21 officers attended, across various services.

Separate in-house training will be offered to an interim Authorising Officer in post from 1/11/22. Corporate managers will receive a brief presentation at their Workshop on 9/12/22.

- Desktop research activity is monitored, and those who have the permission and capability are required to submit periodic returns of activity levels. It was suggested that the RIPA Co-ordinator could conduct some quality control of returns and dip sample a percentage of those. Discussions with those conducting research, as well as those submitting nil returns, will test the understanding of staff in relation to RIPA considerations. This suggestion was received positively.

Agreed. The instruction to Designated Officers has been amended in order to better capture those staff using social media, raise awareness and challenge the nil returns - November 2022 message attached.

Following future requests for activity returns from Designated Officers, the quality control of returns, enquiries and a dip sampling exercise will take place to assess their accuracy.

- Teams likely to need to make RIPA considerations are Social Services, Youth Justice and those dealing with Benefits. It was suggested that HR may consider use of directed surveillance and the type of mischief potentially being investigated was debated. Reference was made to paragraph 4.44 bullet point one of the Covert Surveillance and Property Interference (CSPI) Code of Practice (2018) which explains that local authorities in England and Wales can only authorise the use of directed surveillance under RIPA to prevent or detect criminal offences that are either punishable, whether on summary conviction or indictment, by a maximum term of at least 6 months imprisonment or are related to the underage sale of alcohol and tobacco or nicotine inhaling products. The offences relating to the latter are in article 7A of the 2010 RIPA Order.

Noted and agreed

- The CCC RIPA Policy and procedures are available to staff on an intranet site. The Policy is updated each year. In response to a letter from IPCO regarding assurance of data handling and retention safeguards, a review of the RIPA Corporate Policy and Procedures Document (RIPA Policy) was undertaken, with proposed amendments presented to the Overview and Scrutiny Coordinating Committee on 20/01/2021 and 15/09/2021. The Council's new RIPA Social Media Policy, which was created in response to recommendations following the previous inspection in 2019, was also presented to this Committee on these dates. Both the amended RIPA Policy and RIPA Social Media Policy were approved by Council on 23/09/2021.

Noted and agreed.

The CCC RIPA Policy and Procedures is in the process of being reviewed and will be presented to the Council's Overview and Co-ordinating Scrutiny Committee on 23/11/22.

- Awareness of RIPA responsibilities and knowledge required to avoid inadvertent drift into activity for which a RIPA authorisation would be required was discussed. Designated Officers and Corporate Managers cascade information to staff. The use of all staff messages was discussed as a method that might be used in future to maintain levels of awareness.

Corporate Managers will receive a brief presentation at their Workshop on 29/11/22.

Quarterly messages will be circulated via the Councils intranet platform to enhance awareness and capture new staff.

Example-message circulated 24/10/22 attached.

- If communications data is required, CCC is a member of the National Anti-Fraud Network (NAFN) and submission of applications to NAFN provides a level of in-built assurance.

Noted and agreed

- CCC does not have any overt or covert CCTV responsibilities.

Noted and agreed

- Covert equipment for use on surveillance is retained by CCC. Storage of equipment is secure and although it has not been utilised for many years, any use would be recorded.

Noted and agreed

- Data Assurance Safeguards, if material is obtained, will be addressed by adherence to the CCC corporate retention schedule that is available on the CCC intranet.

Noted and agreed

- It must be emphasised that whilst CCC is numerically a non-user of RIPA powers, it is vital that the Council continues to ensure that relevant staff are appropriately trained when the need arises to use and authorise covert activity. It is also important that officers engaged in investigatory or enforcement areas where RIPA considerations are not so immediately apparent, maintain their levels of knowledge and know whom to approach for guidance. It is positive that training is regularly provided to achieve this. Assurances have been provided to [REDACTED] that the integrity of CCC processes and governance procedures will be maintained to ensure compliance with the Act and relevant Codes of Practice is achieved.

Noted and agreed

If the Council can assist further in any way, please do not hesitate to contact me or my colleagues.

Yours sincerely,



**Elin Prysor**

Swyddog Corfforaethol Arweiniol-Cyfreithiol & Llywodraethu (& Swyddog Monitro) / Corporate Lead Officer-Legal & Governance (& Monitoring Officer)  
Cyngor Sir Ceredigion County Council

Rydym yn croesawu gohebiaeth yn Gymraeg a Saesneg. Cewch ateb Cymraeg i bob gohebiaeth Gymraeg ac ateb Saesneg i bob gohebiaeth Saesneg. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome correspondence in Welsh and English. Correspondence received in Welsh will be answered in Welsh and correspondence in English will be answered in English. Corresponding in Welsh will not involve any delay.

Prif Weithredwr / Chief Executive :  
Cyfarwyddwyr Corfforaethol / Corporate Directors :

Eifion Evans  
Barry Rees  
James Starbuck