



Investigatory Powers
Commissioner's Office

PO Box 29105, London
SW1V 1ZU

Ms Kathryn Beldon
Chief Executive
Epsom and Ewell Borough Council
By email

19 January 2021

Dear Ms Beldon,

Inspection of Epsom and Ewell Borough Council

Please be aware that IPCO is not a “public authority” for the purpose of the Freedom of Information Act (FOIA) and therefore falls outside the reach of the FOIA. It is appreciated that local authorities are subject to the FOIA and that they may receive requests for disclosure of our reports. In the first instance the SRO should bring the matter to the attention of the IPCO Data Protection Officer (at: info@ipco.org.uk), before making any disclosure. This is also the case if you wish to make the content of this letter publicly available.

Your Council was recently the subject of a telephone and desktop-based inspection by one of my Inspectors, Gráinne Athorn. This has been facilitated through your Senior Responsible Officer Amardip Healy who was interviewed over the telephone.

The information provided has demonstrated a level of compliance that removes the requirement for a physical inspection.

The last inspection of Epsom and Ewell took place during August 2017 and resulted in three recommendations concerning the need to deliver RIPA training to key personnel including nominated Authorising Officers, and the requirement to make amendments to the RIPA policy, including the provision of guidance to staff members about the limits of social media and internet research during investigations. I am pleased to confirm that as well as making the suggested changes to the policy, the document now also places limits on online activity, prohibiting the use of false personas without your expressed permission. I understand that one of the three nominated Authorising Officers has recently completed RIPA training and that further training is to be organised when COVID conditions allow. I ask that any future authorisation requests be considered by the trained AO until such time as that training has been completed. Based on the information provided above, I am content to discharge all three recommendations.

Since 2017 no authorisations have been granted for either surveillance or CHIS (albeit one application for communications data was submitted and has been examined by the Inspector) and consequently no records of this kind were examined.

Section 4.47 of the 2018 Home Office Covert Surveillance and Property Interference Code of Practice requires that Elected Members be provided with a regular update of the use made of RIPA powers. I understand that Members of the Audit, Crime and Disorder and Scrutiny Committee oversee RIPA matters and have approved the policy as recently as 2019.

I hope that this telephone-based inspection has proved to be a worthwhile exercise; it has been a critical element to ensuring that oversight of the use made of RIPA powers continues despite the circumstances in which we are all operating. 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,

A handwritten signature in black ink that reads "Brian Leveson". The signature is written in a cursive style with a long horizontal stroke at the end.

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