



Investigatory Powers  
Commissioner's Office

PO Box 29105, London

Mr Colin Carmichael  
Chief Executive  
Thanet District Council

By email - [colin.carmichael@thanet.gov.uk](mailto:colin.carmichael@thanet.gov.uk)

21/06/2023

Dear Mr Carmichael,

**IPCO Surveillance and CHIS Inspection of Thanet District Council  
Regulation of Investigatory Powers Act 2000 (RIPA)**

*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](mailto: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 subject of an IPCO inspection in March 2022 at a time when a different Chief Executive and Senior Responsible Officer were in place. I am aware that you were provided with a copy of the findings shortly after your interim appointment last July, and my Chief Inspector has been in correspondence with Ms Sameera Khan, your Interim Head of Legal Services, over the past year. As you may recall, I was keen to see that the compliance failures identified by [REDACTED], IPCO Inspector, during her visit, had been appropriately addressed.

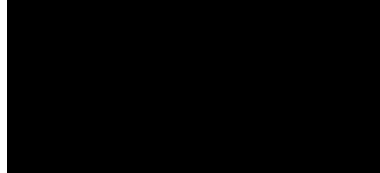
Whilst it has taken some time to resolve all the issues identified, I am pleased to note that Ms Khan ensured that your Elected Members signed off an updated RIPA Policy in July 2022, and are to do so again, as required annually, next month. I am also very pleased to note that RIPA training, which is essential to ensure that all employees at Thanet know when RIPA might be called into play, either through formal authorisation or as an unintended consequence, has now been delivered, with plans to ensure this is maintained as an ongoing commitment.

The retention, review and destruction of material obtained through the use of covert powers is required under the Safeguards Chapters of the Home Office Codes of Practice for Surveillance and CHIS. Ms Khan has tried to identify whether any product from the Council's last use of the powers, several years ago, has been retained, but to no avail. If any is eventually found, then after this period of time, destruction will be required. I am pleased to see that a policy and procedure is now in place for any future use of covert powers, to ensure the Safeguards are applied.

Whilst your Council may not use the powers available to it under RIPA on a regular basis, it is important to ensure that staff awareness of the topic, and robust internal governance, are carried forward. I ask that you, as Chief Executive, take a personal interest and provide the necessary assistance to your Senior Responsible Officer for RIPA to ensure compliant standards are maintained.

On that basis, I am content that Thanet will not need to be inspected by IPCO again until 2025. If you or Ms Khan require any assistance before then, please feel free to contact my Office.

Yours sincerely,



The Investigatory Powers Commissioner