



## Internal Audit Report

### Investigation into the use of council resources

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Issued to	Chief Executive
Copy to	Director Resources and Housing
Report Author	Acting Head of Audit



## **Contents**

1. Introduction
2. Scope of the Audit
3. Background
4. Investigation Findings
5. Conclusion
6. Recommendations

## **1. Introduction**

- 1.1 Former Leeds councillor and former Lord Mayor, Neil Taggart, was recently sentenced to 32 months in prison after pleading guilty to making, distributing and possessing indecent images of children and possession of extreme pornographic images. The Chief Executive has requested an Internal Audit investigation into the council's arrangements in order to provide assurance that no council resources were used to commit these crimes.

## **2. Scope of the Audit**

- 2.1 The Internal Audit investigation has been undertaken by:

- reviewing the records that identify and trace the council ICT equipment that was provided to Neil Taggart:
- reviewing the relevant training, development, committee membership, complaint and diary records:
- performing a search of the relevant sections of the council's network.

- 2.2 Meetings have been held with and / or information has been provided by:

- Chief Digital Information Officer
- Service Support Manager (Digital Information Service)
- Principal IT Infrastructure Officer
- Head of Governance and Scrutiny Support & Deputy Monitoring Officer
- Head of Civic and Member Support
- Head of Operational Services
- Senior Business Partner
- Business Planning Manager
- Service Support Manager
- Group Support Manager
- Lead Developer, Digital and Information Service

- 2.3 During the course of the investigation, I have held meetings with the police and shared information as appropriate.

## **3. Background**

- 3.1 Neil Taggart was a councillor at Leeds City Council from 1 May 1980 to 22 May 2014 and was Lord Mayor from 19 May 2003 to 28 June 2004.

- 3.2 It is reported that Neil Taggart pleaded guilty to distributing indecent photographs of children, making indecent photographs of children, possession of prohibited images of children and possession of extreme pornographic images between 2007 and 2016.

## **4. Investigation Findings**

### **4.1 Review of ICT evidence**

- 4.1.1 In order to determine whether the council's ICT resources were used to commit the offences, I have considered the trail that may have been left on the council's network and the ICT devices used by Neil Taggart. Back-up tapes for emails and local user accounts are retained for six months, so these could not be reviewed as no tapes exist for the period of time relevant to this case.

#### Network

- 4.1.2 The police provided me with a list of key words that were relevant to the criminal investigation. In conjunction with colleagues from ICT, I have searched for these key words in the area of the council's network that covered, amongst others, files and folders which would have been accessible to Neil Taggart. Approximately 1.4 million documents were searched electronically and 15,000 potential matches were highlighted. I have reviewed the matches and found no evidence on the network in respect of these offences.

#### ICT devices used by Neil Taggart

- 4.1.3 Records relating to the allocation and use of ICT devices are available dating back to 2009. From these, I have traced the council ICT devices that were used by Neil Taggart. These are detailed in table 1 below. I have been advised by the Head of Civic and Member Support that, prior to 2009, Neil Taggart would have had access to shared desktop computers in the member's lounge and a dedicated desktop computer in the Lord Mayor's chambers during his tenure as Lord Mayor from June 2003 to June 2004. The Business Planning Manager has advised that the data on these devices would have been deleted prior to the devices being physically destroyed.
- 4.1.4 I have been advised by the Senior Business Partner that Neil Taggart was not issued with a mobile electronic device, such as a PDA. I am therefore satisfied from the enquiries that I have made and the evidence that I have seen that the four devices detailed in table 1 represent a complete history of the ICT equipment used by Neil Taggart since 2009.

Table 1: Leeds City Council ICT equipment used by Neil Taggart since 2009

ICT equipment	Status of equipment
Laptop (LAT <i>asset number</i> ) and council-provided internet line (Asymmetric Digital Subscriber Line – ADSL) at Neil Taggart’s home address	The laptop was last used by Neil Taggart in September 2013 and the device was sanitised <sup>1</sup> in May 2014.
Desktop computer (AT <i>asset number</i> ) located in Civic Hall 4 <sup>th</sup> Floor East	The desktop computer was last used by Neil Taggart in May 2014 and the device was sanitised in April 2016.
iPAD ( <i>serial number</i> )	<p>The iPad was last used by Neil Taggart in July 2014.</p> <p>The data was deleted from this device by colleagues in ICT in line with their procedures before it was re-allocated to another user. I have signed this device over to the police for forensic examination.</p>
Laptop (LAT <i>asset number</i> ) for temporary use.	Neil Taggart logged on to this device on two occasions, the last being on 3 July 2014. The device was allocated to another user. I have signed this device over to the police for forensic examination.

4.1.5 Due to the length of time that has elapsed, there are no records to confirm when the laptop (LAT *asset number*) was issued to Neil Taggart or when the council-provided ADSL was installed and removed from his home. The Senior Business Partner has advised that the ADSL was in place when he came to post in May 2006 and would have been removed when the iPad was provided in 2014. Councillors paid a nominal charge per annum for the use of council equipment in the home as a ‘benefit in kind’. The council has no records to indicate whether there was any other internet connection in place at Neil Taggart’s home address during the period that the ADSL was provided by the council and I cannot confirm which internet connection was used to perpetrate the offences. This leaves a possibility that the council-provided ADSL may have been used for this purpose.

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<sup>1</sup> Data cleansed and sold through the council’s contractual arrangements with SCC.

4.1.6 The historical record held in the Group Office indicates that only two memory sticks were issued or loaned to members, neither of whom were Neil Taggart. However, this was a manually updated document, the provenance and history of which is unknown due to the length of time that has elapsed and it does not fully reconcile to the memory sticks held in the office. Therefore, it is not a reliable source to support that Neil Taggart did not make use of a council memory stick. The Group Support Manager has advised that he has never received a request for a memory stick from any member since he came to post in 2014, which may indicate that the likelihood of Neil Taggart making use of a council memory stick is low.

4.1.7 The police will advise us of the results of their forensic examination of the iPad and laptop in due course.

## 4.2 Filtering controls

4.2.1 During the course of this review I have attempted to obtain evidence to confirm that appropriate web filtering controls have been in place during the period in question, that these have been working as expected and are in line with best practice. Due to the length of time that has elapsed and how assurance on these controls is documented, I am not able to provide independent assurance on this area. Instead, I have sought this assurance from senior management within ICT. The Head of Operational Services within the Digital & Information Service has provided the following assurance statement on the council's filtering control arrangements in place:

4.2.2 *Since 2002 ICT have regularly monitored Internet activity to ensure Council employees adhere to the policies relating to Internet access and to provide secure connectivity for users.*

*During the period between 2002 and 2004 there was no content filtering available but users had to sign a disclaimer for Internet usage and adhering to Council Policies. Logs were reviewed regularly by the Security Team staff and evidence of this was the successful prosecution of a Council employee that viewed inappropriate content.*

*From 2004 to 2010 proprietary software A filtering was in place and from 2010 to the present day the Content Filtering is via proprietary software B.*

*The order for the first content filtering was found in records by the Software Licencing Team and had a date of 15th June 2004. The content filtering was in place shortly after this date. Due to the content filtering of categories to block inappropriate sites there has been a regular flow of Remedy tickets each week blocking user access and giving confidence that the content filtering is working. For every ticket logged the content filtering would have been tested by the Security Team to allow the user access if granted or to keep blocked for various security reasons. Evidence on this can be found in the number of Remedy tickets relating to proprietary software B.*

4.2.3 These are important measures that may prevent inappropriate activity but it is important to note that it is not possible for 100% of relevant websites to be blocked

due to the constantly changing environment and that the filtering does not occur when a user accesses the internet but is not connected to the council network.

4.2.4 The Digital Information Service has advised that the council also has controls in place to identify and quarantine emails going out of the council or coming into the council that may be inappropriate. The limitation to this assurance is that it is not applied to internal emails for operational reasons and it cannot identify images that may be inappropriate.

#### 4.3 **Governance**

4.3.1 The nature of the roles of councillor and Lord Mayor means that Neil Taggart made visits to establishments where children were present over the course of the 34 years he was with the council. I have therefore sought evidence and assurances around any potential safeguarding implications relating to these roles:

- The Code of Conduct applies to elected members in all aspects of their public life. Members must follow this Code when they are conducting the work of the council, representing the council on any external organisation and otherwise acting in their official capacity. The Code sets out the expected standards of conduct and the requirement for interests to be declared. There is evidence that Neil Taggart received training on governance and conduct.
- The council's Electronic Communications Code of Practice sets out what is unacceptable when using the council's communications systems. The policy specifically references the offences outlined at 1.1 above. Neil Taggart signed a disclaimer upon receipt of the council iPad to confirm that he had read, understood and would comply with the council's policies, including the Electronic Communications Code of Practice.
- The diary records for the period when Neil Taggart held the position of Lord Mayor show that visits were made to establishments where children were present. The Head of Civic and Member Support has advised that these visits are in line with normal mayoral duties and would have been accompanied by the Sergeant at Mace. I have provided the police with a copy of these diary records for their consideration.
- Disclosure and Barring Service (DBS) checks are not a requirement of the role of elected member and therefore not compulsory. However, Democratic Services make requests for DBS checks at the point of initial election and then again at every re-election. Democratic Services has advised that a Criminal Record Bureau check (the predecessor to the DBS check) was carried out on 31 August 2006. Neil Taggart would have been due a new check after re-election in 2010, but there is no record of this being completed, despite several reminders being sent to him. In this case however, my understanding is that even if DBS checks had been completed

on a regular basis, these would not have highlighted any issues that would have alerted the council to take action in respect of the offences committed.

- The Head of Civic and Member Support and the Head of Governance and Scrutiny Support have both confirmed that they are not aware that any Code of Conduct complaint was ever made in respect of Neil Taggart. This is supported by the records of Member's Code of Conduct complaints, which are available dating back to 2008. A review of these found no reference that any complaint was recorded against Neil Taggart.

## **5. Conclusion**

5.1 I have found no evidence that council resources were used for the offences committed by Neil Taggart. However, the council provided an internet connection to the home of Neil Taggart for a period of at least eight years, during which time the offences were reported to have taken place. In the absence of any evidence to confirm which internet connection was used to obtain the images in question, there remains a possibility that the council-provided ADSL may have been used for this purpose. Whilst filtering controls were in place during this period, it is not possible for 100% of websites with inappropriate content to be blocked. This raises a consideration over whether the council should implement proactive monitoring controls for the purposes of identifying offences of this nature.

5.2 There is evidence that Neil Taggart received training on the Code of Conduct and signed a disclaimer to confirm that he had understood and would comply with relevant policies, including the Electronic Communications Code of Practice. This provides assurance that the council has processes in place that re-enforce the standards of conduct and behaviour expected from those that serve it. The investigation has highlighted a potential control weakness in relation to undertaking DBS checks for members. However, if this control had been in place during the period in question, I do not believe that it would have had any impact on this case.

## **6. Recommendations**

6.1 In support of this investigation, colleagues in ICT have prepared a paper that outlines the technical options available to the council for future proactive scanning of the council's digital storage for the purposes of identifying instances of indecent images of children or indications of child sexual exploitation. These options could include all council-owned devices, such as those used by council staff and members, and those situated in libraries and schools, for example. Without an evidence trail confirming how the offences were committed, I cannot provide assurance that any of these options would have detected Neil Taggart's criminal activity. However, consideration should be given to establishing a framework of proactive monitoring measures that would supplement the existing web filtering and conduct controls, in light of this case. There are governance, resource and cost implications attached to each option



that would require careful consideration if the council decides to implement proactive monitoring and further work is required to ascertain these.

- 6.2 Consideration should also be given to formalising the process for undertaking DBS checking for members and ensuring that the matter is properly escalated and resolved if checks are not completed in line with defined timescales.