

Report To:	CABINET	Date:	18 JANUARY 2018
Heading:	REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) UPDATE		
Portfolio Holder:	CLLR CHERYL BUTLER – LEADER OF THE COUNCIL		
Ward/s:	N/A		
Key Decision:	NO		
Subject to Call-In:	YES		

Purpose of Report

The report is to update Cabinet on the use of the Regulation of Investigatory Powers Act (RIPA) policy in the past 12 months and to note that no amendments are needed to the policy at this time.

Recommendation(s)

Cabinet is asked to note that:

1. The policy is up to date and so there are no proposed amendments to the Policy;
2. The Council has not authorised any covert surveillance pursuant to the RIPA powers in the past 12 months.

Reasons for Recommendation(s)

The current Code of Practice and Council Policy requires that Members are updated on RIPA authorisations on an annual basis. This report complies with that requirement.

The Policy should also be reviewed regularly to ensure it remains up to date and fit for purpose. The policy has been reviewed and no amendments are required at this time.

Alternative Options Considered (With Reasons Why Not Adopted)

The alternative is not to report to Members which could put the Authority at risk of challenge for breach of Policy.

Detailed Information

Regulation Of Investigatory Powers Act 2000 – Annual Update

The Policy:

1. The RIPA policy was amended in 2013 following the inspection by the Office of the Surveillance Commissioners [“OSC”].
2. The RIPA policy was further amended in February 2017;
3. No amendments are proposed currently as the policy is up to date and fit for purpose.

Update on the Use of RIPA:

1. In the past 12 months **no** covert surveillance has been authorised.
2. If the Council is required to carry out covert surveillance in the course of its enforcement work, it must comply with the Regulation of Investigatory Powers Act 2000 and related Codes of Practice.
3. The Council has a Policy in place which sets out a process for ensuring covert surveillance activity is carried out in accordance with the law. In accordance with the Policy and the Code of Practice, the Cabinet must receive an annual report.
4. Members are asked to note the update.

Implications

Corporate Plan:

Ensure effective community leadership, through good governance, transparency, accountability and appropriate behaviours.

Legal:

All legal issues are outlined in the report and detailed in the policy.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	None
General Fund – Capital Programme	None

Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

Risk:

Risk	Mitigation
No risks associated with the recommendations in this report	The policy is in place to ensure the law is complied with

Human Resources:

It is recommended that all officers whose duties are linked to surveillance in any way are provided with adequate training (repeated/refreshed periodically) to ensure they fully understand the RIPA policy and how it applies to their work. Training is carried out on a rolling programme.

Equalities:

Implications are considered in the body of the policy, in particular in relation to Article 8 of the Human Rights Act.

Other Implications:

None identified

Reason(s) for Urgency (if applicable):

N/A

Background Papers

None

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