



REPORT TO: Audit & Corporate Governance
Committee

1st December 2022

LEAD OFFICER: Monitoring Officer

REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) - UPDATE ON USE OF RIPA

Executive Summary

1. The purpose of this report is to update Members of the Audit and Corporate Governance Committee on the use of RIPA powers since the committee last met.

Key Decision

2. No

Recommendations

3. It is recommended that Audit & Corporate Governance Committee note the Council has not used surveillance powers since the Committee last met or between the period September 2022 – November 2022.

Reasons for Recommendations

4. The committee are to receive quarterly updates on the Council's use of Regulation of Investigatory Powers Act 2000 (RIPA) powers and to review the RIPA policy on an annual basis and make amendments as necessary.

Details

5. RIPA regulates covert investigations by a number of bodies, including local authorities. It was introduced to ensure that individuals' rights are protected while also ensuring that law enforcement and security agencies have the powers they need to do their job effectively.
6. Following a Home Office Review into counter-terrorism and security powers the Protection of Freedoms Act 2012 was passed in May 2012 requiring all local

authority surveillance authorised under RIPA to be approved by a Magistrate from November 2012. The council's policy and procedures were amended at that time to reflect these changes.

7. The Council comprehensively reviewed and updated its policy in September 2012 and last reviewed the policy in March 2022.
8. The Investigatory Powers Commissioner's Office is responsible for the inspection of public authorities with regard to compliance with RIPA. The Council was the subject of a remote inspection on the 24th February 2021 and the report concluded that the information provided demonstrated a level of compliance that removes, for the present, the requirement for a physical inspection. The Inspector also commented that the policy was a well written document and easy to read.
9. There have been no changes to the legislation since the last revision of the policy in March 2022.

The council's use of RIPA since July 2022

10. The information in the table below summarises the authorisations granted from September 2022 to November 2022.

	Directed surveillance	CHIS	Total
March 2021 – December 2021	0	0	0

Options

11. Members are required to note the report.

Implications

12. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, the following implications have been considered:-

Financial

13. None

Legal

14. Authorisation of surveillance activity gives that surveillance “lawful authority” for the purposes of the European Convention on Human Rights.

Staffing

15. None

Risks/Opportunities

16. See legal.

Equality and Diversity

17. See legal.

Climate Change

18. None

Background Papers

RIPA Policy

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