



**REPORT TO:** Audit & Corporate Governance Committee

29<sup>th</sup> September  
2022

**LEAD OFFICER:** Monitoring Officer

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## **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 July 2022 – August 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 24<sup>th</sup> 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 July 2022 to August 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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