

Board/Committee:	Standards and Governance Committee
Date of Meeting:	19 th November 2020
Title:	RIPA Policy
Author:	Chief Internal Auditor
Status:	FOR APPROVAL

Purpose

To seek approval from Members in regards to the Regulation of Investigatory Powers Act (RIPA) Policy 2020, before presenting the Policy to the Policy and Organisation Board.

Recommendations

- a. That the Standards and Governance Committee approve the Regulation of Investigatory Powers Act (RIPA) Policy 2020

1. Background & Purpose

- 1.1 Controls on covert surveillance were introduced as a consequence of the Human Rights Act 1998, which enshrined the European Convention and Human Rights into UK law and came into effect on 2 October 2000
- 1.2 The Regulation of Investigatory Powers Act 2000 (RIPA) and RIPA (Directed Surveillance and Covert Human Intelligence Sources) Order 2010 aim to ensure that public bodies respect the privacy of members of the public when carrying out their investigations and that there is an interference with privacy only where the law permits it and there is a clear public interest justification in the prevention or detection of crime
- 1.3 The Protection of Freedoms Act 2012 requires that Local Authorities seeking RIPA authorisation are subject to judicial approval. This means that approval of the RIPA authorisation or Renewal of an authorisation must be agreed by a judicial authority in the local Magistrates Court.
- 1.4 This Policy outlines the process, procedure and the delegated officers charged with administering the Council's use of RIPA in line with the legislation.

2. Report

- 2.1 Appendix A is the Regulation of Investigatory Powers Act (RIPA) Policy 2020.

3. Conclusion

- 3.1 That the committee approve the Regulation of Investigatory Powers Act (RIPA) Policy 2020.

Financial Services comments:	Nil
Legal Services comments:	Nil
Crime and Disorder:	Nil
Equality and Diversity:	Nil
Service Improvement Plan implications:	
Corporate Plan:	It supports the Council in pursuit of excellence through delivering an effective and high quality governance evaluation and monitoring.
Risk Assessment:	Not to take this action would have potential legal, governance, and risk management implications for the Council
Background papers:	None
Appendices/Enclosures:	Appendix A – Regulation of Investigatory Powers Act (RIPA) Policy 2020
Report author/ Lead Officer:	Paul Somerset - Chief Internal Auditor