

Board/Committee:	Standards and Audit Sub Board
Date of Meeting:	5 th January 2023
Title:	RIPA Policy review and use
Author:	Chief Internal Auditor
Status:	FOR NOTING

Purpose

To update members on the Council's use of its powers under the Regulation of Investigatory Powers Act (RIPA) Act.

To note that the Council's RIPA Policy has been reviewed and no updates were made

Recommendations

- a. That the Standards and Audit Sub Board note the Council's use of its powers under the Regulation of Investigatory Powers Act (RIPA) Act.
- b. To note that the Council's RIPA Policy has been reviewed and no updates were made

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 The council has not used its powers under the Regulation of Investigatory Powers Act (RIPA) Act in the period November 2020 - December 2022

3. Conclusion

- 3.1 That the Standards and Audit Sub Board note the Council's use of its powers under the Regulation of Investigatory Powers Act (RIPA) Act.

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 - RIPA Policy
Report author/ Lead Officer:	Paul Somerset - Chief Internal Auditor