



## **CABINET – 14TH OCTOBER 2015**

**SUBJECT: REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA CORPORATE POLICY REVIEW)**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER**

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- 1.1 The attached report, which sought the views of Members on proposed changes to the Council's Corporate Regulation of Investigatory Powers Act (RIPA) Policy, was considered by the Policy and Resources Scrutiny Committee on 30th September 2015, prior to its presentation to Cabinet.
  - 1.2 The Council is under an obligation to comply with legislative requirements and is subject to the provisions of the Regulation of Investigatory Powers Act 2000, Protection of Freedom Act 2012, and the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) (Amendment) Order 2012 (S1 2012/1500). This report recommends changes to the Council's current Corporate RIPA policy to ensure that the policy remains fit for this purpose.
  - 1.3 Following a further internal review undertaken by the Council's Interim Monitoring Officer, it is proposed that the current Policy is reviewed in its entirety to strengthen the governance arrangements around the RIPA process, more adequately address the comments of the Inspector in 2012, address the changes made in relation to the Acquisition of Communications Data which is now dealt with via the National Anti-Fraud Network (NAFN), to reduce the number of Authorising Officers and to introduce a more formal training regime.
  - 1.4 Members were asked to formally note that this Policy is not intended for use in connection with the surveillance of its employees and were reminded that the surveillance of employees is currently suspended pending the implementation of a specific policy and there are no current plans to progress this issue. Officers gave assurances that the Policy had been thoroughly reviewed and that all associated procedures are and will continue to be stringently monitored.
  - 1.5 Following consideration of the report and in noting its contents, the Policy and Resources Scrutiny Committee unanimously recommended to Cabinet that for the reasons contained therein:-
    - (i) the contents of the Officer's report be noted;
    - (ii) the changes to the Council's Corporate Regulation of Investigatory Powers Act Policy be approved.
  - 1.5 Members are asked to consider the recommendations.

Author: R. Barrett, Committee Services Officer, Ext. 4245

Appendices:

Appendix 1 Report to Policy and Resources Scrutiny Committee on 30th September 2015 –  
Agenda Item 11