

POLICY AND RESOURCES SCRUTINY COMMITTEE - 4TH OCTOBER 2011

SUBJECT: REGULATION OF INVESTIGATORY POWERS ACT 2000

REPORT BY: MONITORING OFFICER

1. PURPOSE OF REPORT

- 1.1 To advise Members of the numbers of covert surveillance operations undertaken by the Council in accordance with the provisions of the Regulation of Investigatory Powers Act 2000.

2. LINKS TO STRATEGY

- 2.1 The Council is under an obligation to comply with legislative requirements - this report helps to achieve that.

3. THE REPORT

- 3.1 The Regulation of Investigatory Powers Act 2000 sets out strict controls for public authorities wishing to carry out covert surveillance of individual members of the public as part of their exercise of their statutory functions. In addition to the Act, advice and guidance is found within the Codes of Practice issued by the Home Office.
- 3.2 The Authority has a corporate policy which provides guidance on how surveillance should be used by the relevant officers.
- 3.3 Public Authorities undertaking covert surveillance of individual members of the public are subject to inspection by an Assistant Surveillance Commissioner or by a Surveillance Inspector (or in some cases both).
- 3.4 The inspection undertaken last year by the Surveillance Inspector made a recommendation that details of the numbers of RIPA operations undertaken by the Authority should be reported to Members on a regular basis.
- 3.5 This data has not been provided previously, consequently the information listed in the tables attached has been backdated and gives details of the operations undertaken by the Authority for the last three years. It is proposed this information will, in future be provided on a six monthly basis.

4. FINANCIAL IMPLICATIONS

- 4.1 None.

5. PERSONNEL IMPLICATIONS

5.1 None.

6. CONSULTATIONS

6.1 There are no consultation responses, which have not been reflected in the recommendations to this report.

7. RECOMMENDATIONS

7.1 None. Members note the information provided.

8. REASONS FOR THE RECOMMENDATIONS

8.1 To ensure compliance with statutory requirements.

9. STATUTORY POWERS

9.1 Regulation of Investigatory Powers Act 2000.

Author: Daniel Perkins, Monitoring Officer (perkid@caerphilly.gov.uk)
Consultees: Cabinet Members for Policy and Resources
Nigel Barnett, Deputy Chief Executive

Appendices:
Appendix 1 List of Investigation/Surveillance