

REPORT TO:		Cabinet	
DATE:		29 July 2015	
PORTFOLIO:		Cllr Miles Parkinson, Leader	
REPORT AUTHOR:		Executive Director (Legal and Democratic Services)	
TITLE OF REPORT:		Regulation of Investigatory Powers Act 2000. Half Yearly Report	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	

1. **Purpose of Report**

- 1.1 At the Cabinet Meeting held on the 14th March 2012 it was resolved that the Executive Director (Legal and Democratic Services) should present a report to the Cabinet each quarter summarising the use of the powers conferred on the Council by Part II of the Regulation of Investigatory Powers Act 2000 (RIPA). Due to the lack of use of these powers it was further resolved by Cabinet on the 4th December 2013 that reports only need to be submitted every six months.

2. **Recommendations**

- 2.1 That the report be noted.

3. **Reasons for Recommendations and Background**

- 3.1 During the period under review, 1st November 2014 – 30th April 2015 there were no applications for authorisations under RIPA. Furthermore no applications are outstanding. The lack of applications is mainly the result of changes to the RIPA regime that came into effect in November 2012. These changes which were previously reported to Cabinet on the 19th November 2012 limited the use that could be made of RIPA to the investigation of more serious offences that are punishable by a period of 6 months of more imprisonment.
- 3.2 On the 12th May 2015 Sir David Clarke an Assistant Surveillance Commissioner, visited the Council to carry out a routine inspection of the Council's RIPA policy and

procedures. In his report Sir David mentioned that the Council's RIPA structure and management has been maintained in a good state of health and he was particularly complimentary about the training programme. He also added that the Council had *"given careful thought to the effects of the legislative changes of 2012 and has adapted its practices to meet those changes in a manner that is both pragmatic and imaginative"*

- 3.3 The report contained just one recommendation which was that a slight change be made to the wording of two paragraphs in the section of the policy relating to Covert Human Intelligence sources in order to give it greater clarity.
- 3.4 A new subsection highlighting the guidance issued by the Office of the Surveillance Commissioners regarding the surveillance of social media sites has also been added to the updated policy.

4. Alternative Options considered and Reasons for Rejection

4.1 N/A

5. Consultations

5.1 N/A

6. Implications

Financial implications (including any future financial commitments for the Council)	None
Legal and human rights implications	None
Assessment of risk	None
Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	None

7. **Local Government (Access to Information) Act 1985:**
List of Background Papers

7.1 N/A

8. **Freedom of Information**

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.