



WARDS AFFECTED: ALL WARDS

1. PURPOSE OF REPORT

- 1.1 To present to members the draft Regulation of Investigatory Powers Act (RIPA) policy.

2. RECOMMENDATION

- 2.1 That members endorse the new RIPA Policy.

3. BACKGROUND TO THE REPORT

- 3.1 A new policy was suggested following our inspection by the Office of Surveillance Commissioners (OCS) in Summer 2014. The policy aims to encourage a simplified procedure when applying to undertake covert surveillance under the Regulation of Investigatory Powers Act 2000.
- 3.2 The introduction of this policy has the potential to protect the council when they are assessing whether to undertake surveillance. This policy also takes into account The Protection of Freedoms Act 2012 and recent guidance issued by the OCS.
- 3.3 For note, there have been no applications to undertake covert surveillance over the last two year period.

4. FINANCIAL IMPLICATIONS [IB]

- 4.1 None.

5. LEGAL IMPLICATIONS [JB]

- 5.1 The legal implications in relation to The Human Rights Act 2000, The Data Protection Act 1998 and the Home Office's Codes of Practices are covered in section B of the RIPA Policy 2015 draft document.

6. CORPORATE PLAN IMPLICATIONS

- 6.1 This policy has the potential to limit the misuse of surveillance. It aims to provide guidance on what is expected from officers, whether in a requesting role or an authorising one. It supports all aspects of the Corporate Plan.

7. CONSULTATION

- 7.1 Senior management and staff that may undertake such surveillance have been consulted.

8. RISK IMPLICATIONS

- 8.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

9.1 This is a corporate policy and does not impact any community, group, area or parish in particular.

10. CORPORATE IMPLICATIONS

10.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector
- Procurement implications
- Data Protection implications

Background papers: None

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