

Regulatory and Audit Committee

Title: Inspection RIPA - Covert Surveillance Inspection

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Summary

The Council has a number of functions which involve the enforcement of laws and regulation. On occasion, officers may need to conduct investigations and, in exceptional circumstances, the Council has the power to carry out surveillance activity under the Regulation of Investigatory Powers Act 2000 (RIPA). The County Council's RIPA procedures and activity are subject to inspection by the Office of the Chief Surveillance Commissioner. The OCSC conducted an inspection of the Council's arrangement on 20 January 2016 and the purpose of this report is to feed back on the inspection.

Recommendation

That the Committee should note the inspection findings at Appendix 1 and endorse the action plan at Appendix 2.

Background

The Regulation of Investigatory Powers Act 2000 (RIPA) and associated Codes of Practice regulate the way in which the County Council conducts surveillance for the purposes of law enforcement. The fundamental requirement of RIPA is that when the Council considers undertaking directed surveillance or using a covert human intelligence source it must only do so if: a) the activity has been authorised by an officer with appropriate powers, and b) the relevant criteria are satisfied. The Regulatory and Audit Committee reviewed the arrangements in November 2015.

RIPA Inspection

1. The Office of the Chief Surveillance Commissioner visited the Council in January 2016 to carry out an inspection. A copy of the inspection report is attached at Appendix 1.
2. The overall finding of the inspection was that "the Council has adopted a good system for the management of RIPA and authorisation is concentrated in very capable hands". The



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inspection also noted that the Council has substantially reduced its reliance on covert surveillance as a tool of investigation.

3. Three specific recommendations were made:

- a) Amend the central record of authorisations and ensure that it reflects all the authorisations approved by the Council
- b) Address by training the weaknesses highlighted in the examination of documents and establish a programme of regular refresher training of authorising officers and likely applicants
- c) Amend the Covert Surveillance Policy and Procedure in accordance with the inspection report feedback

An action plan to address these issues is attached at Appendix 2.

The Committee may wish to note that the Council did not undertake any directed surveillance or use a covert human intelligence source in 2015/16.
