



**Policy, Finance and
Development
Committee**

24 March 2015

Matter for Decision

Title: **Regulation of Investigatory Powers Act 2000 (RIPA)
Policy**

Author: **Kalv Garcha, Head of Corporate Resources**

1 Introduction

The purpose of the report is for the approval of the Regulation of Investigatory Powers Act 2000 (RIPA) Policy, which was due for revision and is in line with the Office of Surveillance Commissioners procedures and guidance issued in December 2014. The policy is attached to this report as an appendix.

2 Recommendations

That members approve the RIPA Policy with delegation to the Head of Corporate Resources to make any amendments arising from changes to the law or to the guidance publications provided by the Home Office and the Office of Surveillance Commissioners.

3 Information

The Council needs to keep its RIPA policy under review to ensure that it complies with RIPA and its Codes of Practice. The Office of Surveillance Commissioners will be carrying out an audit of the Council's RIPA records and procedures in summer 2015.

The RIPA Policy describes the procedure for Council officers to obtain authorisations for surveillance operations. Following this procedure will enable the Council to have a defence against any claims made for breach to privacy under human rights legislation. The Policy also describes the considerations which must be addressed by Senior Council Officers in authorising surveillance requests, the records which must be kept and maintained, and the need for Council staff to be trained on RIPA, ensuring that unauthorised surveillance does not occur.

In line with the OSC guidance, there is a requirement for elected members of the Council to consider internal reports on the use of the 2000 Act on a regular basis and set the policy at least once a year.

Email: gurpinder.ghuman@oadby-wigston.gov.uk Tel: 0116 257 2708

Implications

Financial (PL)	Compliance with this Policy will allow the Council to better defend any breach of privacy claims, which may result in a monetary award made by people subjected to its surveillance operations.
Risk (KG)	CR4 Reputation Damage, CR6 Regulatory Governance
Equalities (KG)	An EIA has been carried out on this policy.
Legal (KG)	Non-compliance is likely to result in Council fines and Council liability for privacy claims made by the Council's surveillance subjects. Evidence obtained from a surveillance operation may be inadmissible in any subsequent criminal trials if RIPA is not followed. Regulatory compliance is ensured by following this Policy.