

**REGULATION OF INVESTIGATORY POWERS ACT (RIPA)**

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**Responsible Cabinet Member -  
Councillor Mandy Porter, Resources Portfolio**

**Responsible Director -  
Elizabeth Davison, Group Director of Operations**

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**SUMMARY REPORT**

**Purpose of the Report**

1. This report informs and update Members about issues relevant to the use of the Regulation of Investigatory Powers Act 2000 and developments that have taken place since the last report to Cabinet in September 2023.

**Summary**

2. The Regulation of Investigatory Powers Act 2000 (“RIPA”) enables local authorities to carry out certain types of surveillance activity, as long as specified procedures are followed. The information obtained as a result of surveillance operations can be relied upon in court proceedings providing RIPA is complied with.
3. The Investigatory Powers Act 2016 (“IPA”) is the main legislation governing the acquisition of communications data. The information obtained as a result of these acquisitions can also be relied upon in court proceedings providing IPA is complied with.
4. This report updates members on issues relevant to this area of work and gives details of RIPA directed surveillance applications and IPA communications data applications that have been authorised since the last report to Cabinet.

**Recommendation**

5. It is recommended that :-
  - (a) Members note the developments that have taken place since September 2023.
  - (b) Members receive further reports on the Council’s use of RIPA and IPA and other associated issues.

## **Reasons**

6. The recommendations are supported by the following reasons :-
  - (a) In order to ensure that the Council complies with the legal obligations under RIPA, IPA and national guidance.
  - (b) To help in raising awareness and giving transparency about the use of RIPA and IPA in this Council.

**Elizabeth Davison**  
**Group Director of Operations**

## **Background Papers**

No background papers were used in the preparation of this report.

Amy Wennington : Extension 5466

S17 Crime and Disorder	The appropriate use of and oversight of RIPA and IPA powers will enable the Council to provide evidence to support appropriate prosecutions and tackle crime.
Health and Wellbeing	There are no specific implications for Health and Wellbeing
Carbon Impact and Climate Change	There are no issues that this report needs to address
Diversity	The RIPA Policy treats all groups equally
Wards Affected	All wards
Groups Affected	All groups
Budget and Policy Framework	This does not represent a change to the Council's budget and policy framework.
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision.
Council Plan	The appropriate use of powers is a legislative requirement
Efficiency	Clarity about the lawful use of RIPA and IPA will help in the efficient use of powers
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

## MAIN REPORT

### Information and Analysis

#### Investigatory Powers Commissioner's Officer ("IPCO") Inspection

7. On 29 September 2023, the Assistant Director, Law and Governance provided IPCO with a variety of documents and evidence that they had requested from him. This included, amongst other things, all of the bi-annual Cabinet Reports since the last inspection, the most recent RIPA policy, details around the officer training provided and details about the Council's usage of RIPA and IPA.
8. On 2 October 2023, IPCO confirmed that they were satisfied that we had provided assurance that ongoing compliance with RIPA and IPA will be maintained and, as such, we do not require further inspection until 2026.
9. The Inspector asked that we ensure that the key compliance issues continue to receive the necessary internal governance and oversight through policy refreshes; updates to Cabinet; ongoing training and awareness raising; and internal compliance monitoring by lead managers within their business areas.

#### Training - Update

10. Training sessions were held during September and October 2023 for Council Officers in service areas that use or may need to consider using RIPA. This training was delivered by the Principal Lawyer (Litigation).

11. In addition, all of the designated Authorising Officers and members of the Chief Officers Executive and Chief Officers Board also received refresher RIPA training. This training was delivered by the Assistant Director, Law and Governance.
12. It is an essential requirement for us to conduct annual refresher training with our staff and we have to demonstrate our compliance with this requirement when we are inspected by IPCO, as referenced in paragraphs 7, 8 and 9 above.

#### **Bi-Annual Report Regarding this Council's RIPA and IPA usage**

##### **Directed Surveillance Authorisations**

13. There have been no authorisations granted since the last Cabinet Report.

##### **Communications Data Authorisations**

14. There have been no authorisations granted since the last Cabinet Report.