

**SUMMARY OF ACTIVITY IN RELATION TO THE REGULATION OF
INVESTIGATORY POWERS ACT 2000**

To: *Constitution and Ethics Committee*

Meeting Date: *2nd September 2014*

From: *LGSS Director of Law, Property & Governance*

Electoral division(s): *All*

Forward Plan ref: *N/A*

Key decision: *No*

Purpose:

For the Committee to consider a report of Council activity under the Regulation of Investigatory Powers Act 2000 (RIPA) for 2013-2014.

Recommendation:

That the Committee note the report.

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1. BACKGROUND

- 1.1 The Council's RIPA policy requires the LGSS Director of Law, Property & Governance to provide Members with an annual update of the use by the Council of authorisations under RIPA for covert surveillance and their circumstances. The object of it is to achieve transparency and accountability for authorisations made.

2. MAIN ISSUES

- 2.1 For the financial year 2013-2014 the Council has made no authorisations for the use of directed covert surveillance or for the use of covert human intelligence sources.
- 2.2 The lack of use of authorisations reflects the cautious approach adopted by Officers to the use of surveillance in recent years and in particular following changes to the RIPA regulations introduced in 2012 which restricted the scope of offences for which the Council may make use of RIPA authorisation.
- 2.3 In July 2014 LGSS Internal Audit undertook an audit on the implementation of RIPA arrangements within the Council. This considered -

a) Policy Ownership, Review and Maintenance

The audit concluded that the RIPA Policy is clearly owned, periodically reviewed and maintained by LGSS Legal. The audit noted that the RIPA Policy on the intranet is not currently up-to-date as regards the Authorised Officers named on page 10. The names of the Officers should be updated to reflect current Authorised Officers. The RIPA monitoring officer will implement this recommendation.

b) Policy Communication

The audit concluded that the RIPA Policy is communicated when required to Authorised Officers and Council-wide.

c) Provision of RIPA training and support

The audit concluded that Initial and refresher training is provided to Authorised Officers, with coverage agreed with the external provider.

- 2.4 The audit made the following further observations and recommendations beyond the above headings. These observations have been noted and will be implemented by the RIPA monitoring officer.
- The National Anti-Fraud Network (NAFN) deals with all Communications data requests on behalf of the Council. These requests are signed off by the Head of Service for Supporting Businesses and Communities.

- An annual report is provided by NAFN which details all RIPA communications activity submitted by CCC via NAFN. In recent years this has been a 'nil' return, although there have been some requests signed off recently which will feature in the next annual report.
- The RIPA monitoring officer should be immediately informed of any RIPA authorisations undertaken.
- Policy is publicised internally on an annual basis around the same time as the annual report. This will serve to remind officers of the possible uses for RIPA but also remind officers of the circumstances when a RIPA authorisation is required.

SOURCE DOCUMENTS GUIDANCE

Source Documents	Location
<i>RIPA Policy</i>	http://camweb.ccc.cambridgeshire.gov.uk/lqss/lpg/legal/legaladvice/access/RIPA.html

