



## AUDIT AND GOVERNANCE COMMITTEE

Report subject	<b>Use of Regulation of Investigatory Powers Annual (RIPA) Report 2018/19 for the legacy Councils, Bournemouth, Christchurch and Poole.</b>
Meeting date	25 July 2019
Status	Public
Executive Summary	The legacy Councils have not made use of RIPA powers during the 2018/19 financial year.
Recommendation(s)	<b>It is RECOMMENDED that: Members of the Audit &amp; Governance Committee note that the Councils have not made use of powers under the Regulation of Investigatory Powers Act during the 2018/19 financial year.</b>
Reason for recommendation(s)	To ensure transparency in respect of the Councils use of its powers under the Regulation of Investigatory Powers Act.

Portfolio Holder(s):	Cllr Vikki Slade, Leader of the Council
Corporate Director	Julian Osgathorpe – Corporate Director Resources
Contributors	Tanya Coulter (Service Director, Law & Governance) Nigel Stannard (Chief Internal Auditor)
Wards	All Wards
Classification	For Information

## Background

1. The Regulation of Investigatory Powers Act (RIPA) was enacted in 2000 to regulate the manner in which certain public bodies may conduct surveillance and access a person's electronic communications and to ensure that the relevant investigatory powers are used in accordance with human rights. The provisions of the Act include:
  - the interception of communications;
  - the acquisition of communications data (e.g. billing data);
  - intrusive surveillance (on residential premises/in private vehicles);
  - covert surveillance in the course of specific operations;
  - the use of covert human intelligence sources (agents, informants, undercover officers); and
  - access to encrypted data.
2. The revised Code of Practice for Covert Surveillance published by the Home Office in 2010 identifies **as a matter of best practice that elected members of an authority should review the authority's use of RIPA at least once a year.** The purpose of this annual report is to set out the level and nature of the legacy councils use of covert surveillance under RIPA.

## Use of RIPA by the legacy Councils

3. Overall responsibility for the use of RIPA lies with the most senior council officer who acts as the Senior Responsible Officer referred to in paragraph 3.28 of the Home Office revised Code of Practice. The respective Monitoring Officers were the legacy councils Authorising Officer in respect of RIPA applications and maintained a register of authorisations applied for.
4. The use of covert surveillance techniques can assist councils in delivering objectives in areas such as crime, anti-social behaviour and licensing. As a result of complying with RIPA, the Council only invokes these powers as a last resort where overt surveillance is not possible.
5. During the 2018/2019 financial year, the legacy Councils have **not** made use of powers under RIPA and the Councils RIPA Authorising Officers have not approved the use of covert surveillance techniques in any cases.

### **Summary of Financial Implications**

6. There are no direct financial implications from this report.

### **Summary of Legal Implications**

7. The Council must follow Regulation of Investigatory Powers Act (RIPA) requirements should it wish to enact covert surveillance.

### **Summary of Human Resource Implications**

8. There are no direct human resource implications from this report.

### **Summary of Environmental Impact**

9. There are no direct environmental implications from this report.

### **Summary of Public Health Implications**

10. There are no direct public health implications from this report.

### **Summary of Equality Implications**

11. There are no direct equalities implications from this report.

### **Summary of Risk Assessment**

12. There are no direct risk implications from this report.

### **Background Papers**

None

### **Appendices**

None