

AUDIT AND GOVERNANCE COMMITTEE



Report subject	Use of Regulation of Investigatory Powers Act and Investigatory Powers Act Annual Report 2025/26
Meeting date	30 July 2026
Status	Public Report
Executive summary	Following an annual review, the Council's Regulation of Investigatory Powers Act (RIPA) and Investigatory Powers Act (IPA) Policy was updated with a minor change to include links to associated BCP Council strategies and policies. BCP Council did not make use of powers under RIPA or IPA during the 2025/26 financial year. The BCP Council statutory return for the 2025 calendar year has been submitted to the Investigatory Powers Commissioner's Office (IPCO). The next three-yearly IPCO inspection is due in 2027. The annual review has confirmed that the appropriate governance and oversight and authorisation arrangements remain in place to ensure any future use of investigatory powers would be lawful, necessary and proportionate.
Recommendations	It is RECOMMENDED that: Audit & Governance Committee note the contents of the report, including that the Council did not make use of powers under the Regulation of Investigatory Powers Act 2000 or the Investigatory Powers Act 2016 during the 2025/26 financial year and that appropriate governance arrangements remain in place.
Reason for recommendations	To ensure transparency in respect of the Council's use of its powers under the Regulation of Investigatory Powers Act and the Investigatory Powers Act.
Portfolio Holder(s):	Cllr Mike Cox, Portfolio Holder for Finance
Corporate Director	Aidan Dunn, Chief Executive
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Wards	Council-wide
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 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/or in private vehicles);
 - covert surveillance in the course of specific operations;
 - the use of covert human intelligence sources (agents, informants, and undercover officers); and
 - access to encrypted data.
2. The Investigatory Powers Act 2016 (IPA) is the main legislation governing access to or acquisition of communications data. It does not fully replace all pre-existing RIPA requirements but does introduce some important and significant variations, particularly in relation to authorisation and regulatory oversight.
3. There are various codes of practice, updated periodically, which broadly cover the specific bullet points above. These help public authorities assess and understand whether, and in what circumstances, it is appropriate to use covert techniques. The codes also provide guidance on the procedures that must be followed in each case and identify, **as a matter of best practice, that elected members of an authority should review its use of RIPA and IPA at least once a year**. The purpose of this annual report is to set out the level and nature of BCP Council's use of covert surveillance under RIPA and acquisition of communications data under IPA.

BCP RIPA and IPA Policy Annual Evolution

4. An annual review of the Council's Regulation of Investigatory Powers Act (RIPA) and Investigatory Powers Act (IPA) Policy took place in early 2026, and the revised policy was approved by the Audit & Governance Committee (on 26 February 2026).
5. A minor change was made to the policy as part of the annual evolution to include links to associated BCP Council strategies and policies.
6. The annual review also confirmed that the arrangements, oversight responsibilities and reporting processes remain appropriate and fit for purpose.
7. A corporate communication on the updated RIPA and IPA Policy, along with other Finance Policies was issued to all staff, including a separate communication to senior managers in April 2026.

Use of RIPA/IPA by the Council

8. The BCP Council RIPA and IPA Policy states that overall responsibility for the use of RIPA and IPA lies with the Senior Responsible Officer (SRO) who is the Director of Law & Governance (Monitoring Officer). The deputy SRO is the Chief Executive.
9. The Head of Public Protection, the Director of Housing & Public Protection, the Chief Executive and Corporate Directors are the Council's Authorising Officers in respect of both RIPA and IPA applications, which are then subject to judicial approval in the local Magistrates' Court. For internally authorised IPA applications, approval for the acquisition of communications data must be granted by the Office for Communications Data Authorisations (OCDA) which is arranged on behalf of the Council by the National Anti-Fraud Network (NAFN). The Head of Audit & Management Assurance is the RIPA Administrator and is responsible for maintaining a central register of authorisations applied for. These arrangements are maintained to ensure that appropriately trained senior officers are available should the Council need to consider the use of investigatory powers in exceptional circumstances.
10. The use of covert surveillance techniques can assist councils in delivering objectives in areas such as preventing or detecting crime, anti-social behaviour and licensing. In compliance with RIPA, the Council would only use these powers as a last resort where overt surveillance is not possible.
11. During the 2025/26 financial year, **the Council has not made use of powers under RIPA or IPA**. The Council's RIPA/IPA Authorising Officers have not approved the use of covert surveillance techniques or requests to access communications data in any cases.
12. Dorset Police may utilise the Council's CCTV system for covert surveillance where a court authorises a Directed Surveillance Authority. This sits within Dorset Police delegated powers and is authorised by an officer at Superintendent rank or above. Where the police intend to utilise Council owned CCTV for covert purposes, formal notification is given to the Head of Public Protection. Paper copies of this notification are securely held by the CCTV team. Dorset Police are legally responsible for the data and the rationale presented to court.

Investigatory Powers Commissioner's Office - Oversight

13. All entities able to use RIPA/IPA are required to complete a statutory return to the IPCO for the preceding calendar year. The Council completed and submitted the statutory return for the 2025 calendar year within the required timeframe in January 2026.
14. BCP Council is subject to a three-yearly inspection by the IPCO. The inspection is to assess compliance with the Regulation of Investigatory Powers Act 2000 and the Investigatory Powers Act 2016. The next inspection is due in 2027.

Conclusion

15. The annual review has confirmed that appropriate governance arrangements remain in place for the use of investigatory powers. No authorisations were granted under either the Regulation of Investigatory Powers Act 2000 or the Investigatory Powers Act 2016 during 2025/26. The Council has maintained its policy framework, Authorising Officer arrangements and statutory reporting requirements and remains prepared to exercise these powers lawfully and proportionately should operational circumstances require.

Options Appraisal

16. An options appraisal is not applicable to this report.

Summary of financial implications

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

Summary of legal implications

18. The Council must follow the Regulation of Investigatory Powers Act (RIPA) and Investigatory Powers Act (IPA) requirements should it wish to undertake covert surveillance.

Summary of human resources implications

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

Summary of sustainability impact

20. There are no direct sustainability implications from this report.

Summary of public health implications

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

Summary of equality implications

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

Summary of risk assessment

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

Background papers

None

Appendices

None