

Subject: Covert Surveillance RIPA
Committee: Audit
Date: 12 December 2013
Cabinet Member: Councillor Peter Smith
CMT Member: Carole Burgoyne (Director for People)
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Ref: Annual Report position
Key Decision: No
Part: I

Purpose of the report:

Councillors receive a yearly report as to the operation of the Surveillance Policy and the use made of the provisions of the Regulation of Investigatory Powers Act (RIPA).

The [Surveillance Policy](#) was approved by the Audit Committee on 13 December 2012 and no revisions are proposed. There have not been any investigations that have required the use of the provisions of this policy, except those which have been regulated through the RIPA process.

There are two regulatory bodies that oversee the use that public authorities make of RIPA and their inspection reports are available on the Council's [web site](#).

The Office of the Surveillance Commissioner (OSC) is not likely to next inspect the Council during the coming year. However the Interception of Communications Commissioner Office (IOCCO) is undertaking an inspection on Tuesday 2nd December 2013 but the outcome of this Inspection and any action plan will not be available from the Inspector for this Audit Committee meeting.

Thus it has been decided to assist the Committee by delaying the presentation of a full report to the next scheduled meeting, so that the Committee in March 2014 can have the benefit of the IOCCO Inspectors report and any action plan.

I can confirm that little covert surveillance activity has needed to be carried out by the Council and that since the last report in December 2012 there has only been one authorisation of Directed Surveillance to help establish the illegal sale of tobacco and four authorisations to obtain details of people being investigated by the Trading Standards department.

It is those authorisations to obtain communications data e.g. the identity of the users of mobile phone numbers, which the IOCCO Inspector will report on; as to the legality, necessity and proportionality of interference with the rights of private individuals.

If the Committee have any questions about the use of surveillance and interference with privacy, then I will be pleased to answer these in my next report.