

AUDIT & GOVERNANCE COMMITTEE

25 SEPTEMBER 2014

REPORT OF THE SOLICITOR TO THE COUNCIL AND MONITORING OFFICER

REGULATION OF INVESTIGATORY POWERS ACT 2000

Purpose

The Council's Code of Practice for carrying out surveillance under the Regulation of Investigatory Powers Act 2000 (RIPA) specifies that quarterly reports will be taken to Audit & Governance Committee to demonstrate to elected members that the Council is complying with its own Code of Practice when using RIPA.

On 13 December 2012, the Council re-adopted the RIPA policy and agreed that quarterly reports on the use of RIPA powers be submitted to Audit & Governance Committee.

Recommendation

That Audit and Governance Committee

- 1) endorse the quarterly RIPA monitoring report and**
- 2) acknowledge the forthcoming visit from the Office of Surveillance Commissioner**

Executive Summary

The Council is required to adhere to the Codes of Practice and legislative requirements in relation to surveillance and as such requires, amongst other duties, to submit quarterly reports to Audit and Governance Committee, which in turn the minutes thereof are part of an Annual report to Council, provide relevant training for officers, keep an up to date RIPA policy and from time to time receive visits from the Office of the Surveillance Commissioner (OSC). The Council received the last visit from the OSC on 18 July 2011. Following the visit, the Council, received a favourable report and implemented the recommendations arising therefrom. The OSC has indicated the intention to visit Tamworth Borough Council on 6 October 2014 and preparations are being made ahead of the visit. I shall report on the conclusions arising from the visit back to Audit and Governance Committee and Council in due course.

Background Information

The RIPA Code of Practice produced by the Home Office in April 2010 introduced the requirement to produce quarterly reports to elected members to demonstrate that the Council is using its RIPA powers appropriately and complying with its own Code of Practice when carrying out covert surveillance. This requirement relates to the use of directed surveillance and covert human intelligence sources (CHIS).

The table below shows the Council's use of directed surveillance in the current financial year to provide an indication of the level of use of covert surveillance at the Council. There have been no applications under RIPA in the period from 1 April 2014 to 30 June 2014 and to the date of this report.

The table outlines the number of times RIPA has been used for directed surveillance, the month of use, the service authorising the surveillance and a general description of the reasons for the surveillance. Where and investigation is ongoing at the end of a quarterly period it will not be reported until the authorisation has been cancelled. At the end of the current quarterly period there are no outstanding authorisations.

There have been no authorisations for the use of CHIS.

Financial year 2014/15

Month	Service	Reason
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No applications

Background papers

None

"If Members would like further information or clarification prior to the meeting please contact Jane M Hackett Solicitor to the Council and Monitoring Officer on Ext.258"