

PART A

Report to: Audit Committee
Date of meeting: 26th July 2018
Report of: Head of Democracy and Governance
Title: RIPA Inspection Report

1.0 Summary

1.1 The Committee had its annual RIPA update report in March. In that report members were advised that the Council had been notified that it was due its four yearly inspection by the Investigatory Powers Commissioners Office (IPCO). This inspection has now been carried out and a copy of the inspector's report is attached as Appendix A.

2.0 Risks

2.1

Nature of Risk	Consequence	Suggested Control Measures	Response <i>(Treat, tolerate, terminate, transfer)</i>	Risk Rating (the combination of severity and likelihood)
That the Council does not implement the report's recommendations	The Council will be criticised at the next inspection	The Council implements the recommendations	Treat	1

- If any of the risks after control measures have been put in place score 9, 12 or 16, explain in the body of the report why you are recommending to the decision maker that the risk should be tolerated, or how it is intended to transfer the risk.
- For all risks, explain what you will be doing to keep the risks under review and at what point you might be suggesting termination.
- For risks with scores of 9 or more after control measures are in place, ensure they are either recorded in your service risk register or project risk register and flag them for consideration by LT to be placed in the corporate risk register.

3.0 **Recommendations**

That the Inspector's report be noted.

Contact Officer:

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Report approved by: Head of Democracy and Governance

4.0 **Detailed proposal**

4.1 As a public authority to which the Regulation of Investigatory Powers Act 2000 applies the Council is subject to regular inspections by the IPCO. These inspections occur every 4 years. This year, for the first time, due to the very small number of RIPA authorisations that we have, the IPCO decided not to carry out a visit but instead undertook a desktop RIPA inspection. This was carried out by the IPCO on 27th March 2018. The IPCO notified the Council of the report following that inspection on 21st May 2018.

4.2 A copy of the Inspection Report is attached as Appendix A. Members will note that the inspection was positive about how the Council deals with RIPA and RIPA authorisations and only suggested two recommendations. The first being an amendment to our policy relating to CHIS's (Covert Human Intelligence Sources) expanding our policy to clarify the requirements of the risk assessment Authorised Officers need to ensure is done before authorising the use of a CHIS. The amendment to the policy has been made.

Secondly it was suggested that refresher RIPA training be undertaken particularly by Authorising Officers. HR have been requested to source a suitable training provider and arrange some dates. Three Rivers will share the training with us, particularly as the Fraud team are a shared service.

4.3 The Committee is asked to note the Inspector's Report

5.0 **Implications**

5.1 **Financial**

5.1.1 The Shared Director of Finance comments that there are no financial implications in this report

5.2 **Legal Issues** (Monitoring Officer)

5.2.1 The Head of Democracy and Governance comments that it is a legal obligation to ensure the Council complies with the RIPA 2000 provisions when undertaking directed surveillance

5.3 **Equalities/Human Rights**

5.3.1 An EIA is not required to amend the policy as identified. The consideration of Human Rights is a factor in making any decision to approve or reject a request for RIPA authorisation.

Appendices

- Appendix A Inspection Report

Background Papers

*"No papers were used in the preparation of this report

File Reference

None