

NORTH LINCOLNSHIRE COUNCIL

CABINET

REGULATION OF INVESTIGATORY POWERS 2000 (RIPA) UPDATE

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To inform Members of the Council's activity relating to surveillance matters under the RIPA regime for the period 1st January 2020 to 31st December 2020

2. BACKGROUND INFORMATION

- 2.1 RIPA provides a legislative framework which details a system of authorisation which exists to secure the lawfulness of surveillance activities and ensure that they are consistent with obligations under the Human Rights Act 1998.
- 2.2 The different types of authorisation include covert surveillance directed at a person(s); the use of a "covert human intelligence source" (CHIS) which involves the establishing of a relationship for the covert purpose of obtaining information and access to communications data such as telephone subscriber details and itemised phone logs.
- 2.3 Between 1st January 2020 and 31st December 2020 the Council did not grant any RIPA authorisations as no RIPA applications were presented to the Authorising Officers. The reason for this is that the nature of enforcement activity changed during 2020 due to the impact of COVID 19 on businesses and intelligence was gathered using different methods.
- 2.4 The Investigatory Powers Commissioner's Office did conduct an arms-length inspection of the Council's RIPA Policy and procedures in July 2020. The inspection was satisfied that the information provided by the Council Officers demonstrated a good level of compliance and that the RIPA Policy and procedures currently in place remain fit for purpose. The Cabinet Member report dated 9th July 2020 provided detail on this inspection.

3. OPTIONS FOR CONSIDERATION

3.1 To note the contents of this Report and approve the existing RIPA Policy

4. ANALYSIS OF OPTIONS

4.1 Guidance indicates that Members should be made aware of RIPA usage within the Council.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 The RIPA provisions are already in place within existing resources.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 The application of the RIPA provisions will ensure the Council is “safe” and “well” as covert surveillance will only be conducted in accordance with the legislative framework and guidance.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 Not applicable

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 The provisions are either statutory or good practice which the Investigatory Powers Commissioner will expect to be followed.

9. RECOMMENDATIONS

9.1 That the content of this Report is noted and the existing RIPA Policy is approved.

DIRECTOR OF GOVERNANCE AND PARTNERSHIPS

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Date 11.1.2021

Background Papers used in the preparation of this report – North Lincolnshire Council RIPA Policy