

CABINET – 10TH FEBRUARY 2022

Report of the Scrutiny Commission

ITEM 14 REGULATION OF INVESTIGATORY POWERS ACT: POLICY AND REVIEW OF USE IN 2021

Purpose of Report

To consider the comments and recommendations of the Scrutiny Commission in relation to the Regulation of Investigatory Powers Act: Policy and Review of Use in 2021 report.

Recommendation of the Scrutiny Commission

That the Cabinet be informed that the Commission welcomes and supports the recommendations set out in the report of the Head of Strategic Support.

Reason

The Commission, having carefully considered and asked questions on the report felt the Cabinet should approve the recommendations set out.

Meeting Discussion

- i. The RIPA procedure was complex and it was difficult to incorporate the process into a simple flow chart. The procedure was reviewed each year and the Head of Strategic Support stated it was possible to include best practice research as part of the next review in order to acknowledge the procedures of other Local Authorities and to identify any functional flow chart systems that the Council could adopt.
- ii. Officers were due to receive training on the RIPA procedure in the coming weeks and it was suggested that members received a briefing note to include the distinctions of when RIPA was required and the types of offences that RIPA was used for, such as licensing concerns or other areas that the Council was responsible for.
- iii. It was highlighted that overt surveillance was permitted at any time and that RIPA was required for covert operations only. The requirement of RIPA was associated with the individual's right to privacy.

Policy Justification and Previous Decisions

Scrutiny Commission Procedure Rule 11.12 sets out the procedure by which a report of a Scrutiny Committee should be considered by Cabinet.

Implementation Timetable including Future Decisions and Scrutiny

The information in the Cabinet report is not affected by the recommendation of the Scrutiny Commission.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no further financial implications associated with the recommendation of the Scrutiny Commission.

Risk Management

There are no specific risks associated with the recommendations of the Scrutiny Commission.

Key Decision:	No
Background Paper:	Scrutiny Commission Minute 95 2021/22, 7th February 2022
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