

**Subject: REGULATION OF
INVESTIGATORY POWERS ACT
(RIPA) POLICY**

Status: FOR PUBLICATION

Report to: THE CABINET

Date: 18TH OCTOBER 2006

Report of: HEAD OF LEGAL AND DEMOCRATIC SERVICES

Portfolio

Holder: CABINET MEMBER FOR FINANCE AND RISK MANAGEMENT

Key Decision: YES

Forward Plan General Exception Special Urgency

1. PURPOSE OF REPORT

1.1 To seek Cabinet approval to the attached Regulation of Investigatory Powers Act Policy.

2. CORPORATE PRIORITIES

2.1 The matters discussed in this report are linked to and support the following corporate priorities:

- *Finance and Risk Management (Improvement)*
- *Human Resources (Improvement)*
- *Community Safety*

3. RISK ASSESSMENT IMPLICATIONS

3.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

- There would be a risk to the organisation if we failed to adopt a policy to deal with the Regulation of Investigatory Powers Act policy.

4. BACKGROUND AND OPTIONS

4.1 On the 23rd March 2006 one of the Assistant Surveillance Commissioners, Lord Colville of Culross paid a second visit to Rossendale following a visit by a Surveillance Inspector Mr. Allsopp in November 2002.

4.2 The general tenor of the reports was that although the Council's approach to RIPA and compliance with it has been satisfactory there are some improvements to be made.

5. COMMENTS OF THE HEAD OF FINANCIAL SERVICES

5.1 By ensuring we have policies in place to deal with Covert Surveillance and by providing adequate training the Council is being efficient.

6. COMMENTS OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES

6.1 The Council has previously agreed a policy on the Regulation of Investigatory Powers Act 2000. However the Council has recently been inspected by the Surveillance Commissioner Lord Colville and the attached policy has been amended to reflect Lord Colville’s recommendations.

6.2 The Head of Legal and Democratic Services is currently considering the comments from the JCC.

7. COMMENTS OF THE HEAD OF HUMAN RESOURCES

7.1 Consultation has been carried out with the JCC on 7th September 2006 and their comments will be presented to the Cabinet meeting.

8. CONCLUSION

8.1 Approval of the policy will allow the Council to comply with the legislation but will provide clear and precise guidance to all those potentially caught by the legislation and highlight the responsibilities of staff / managers under the same.

9. RECOMMENDATION(S)

9.1 That Cabinet approves the attached Regulation of Investigatory Powers Act Policy.

9.2 That training is arranged by the Head of Legal and Democratic Services for all relevant staff on the policy and on how to complete the forms.

9.3 That the Council has just one policy dealing with RIPA rather than having individual departments doing their own thing.

10. CONSULTATION CARRIED OUT

10.1 JCC

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Background Papers	
Document	Place of Inspection
The Proceeds of Crime Act 2002 Money Laundering regulations 2003	Room 220 Futures Park