

BRIDGEND COUNTY BOROUGH COUNCIL

INFORMATION REPORT TO CABINET

25 JULY 2017

REPORT OF THE MONITORING OFFICER

MONITORING REPORT OF THE USE OF REGULATION OF INVESTIGATORY POWERS ACT 2000

1. Purpose of Report

1.1 The purpose of the report is to provide Cabinet with an update on the Authority's use of the Regulation of Investigatory Powers Act 2000 (RIPA) and assurance that its use is in compliance with the Authority's RIPA Policy and the related legislation.

2. Connection to Corporate Improvement Plan / Other Corporate Priority

2.1 There are no direct links to the Corporate Improvement Plan and Corporate Priorities.

3. Background

3.1 The Regulation of Investigatory Powers Act 2000 regulates and governs the use of investigatory powers such as covert surveillance activities carried out by the Authority to ensure compliance with legal requirements.

4. Current situation / proposal

4.1 The table below contains the number of authorisations made by the Authority in accordance with RIPA, from 1st July 2016 until 1st July 2017:

Directed Surveillance for purpose of the Detection of crime and Disorder:	<u>Authorisations</u>	<u>Renewals</u>	<u>Reviews</u>	<u>Cancellations</u>
Benefit Fraud	-	-	-	-
Public Protection	-	-	-	-

4.2 Members will note that there has been a reduction on the usage of RIPA over the years by the Authority with the last authorisation being granted in December 2014. There are a number of factors that could explain this:

- Public Protection is now part of the Shared Regulatory Services and RIPA authorisations are undertaken on the Authority's behalf by the Vale of Glamorgan Council;
- The Benefit Fraud Team is now part of the Department for Work and Pensions;

- The Protection of Freedoms Act 2012 imposes limitations to the use of RIPA by local authorities and there is now a requirement to obtain the prior approval of a Magistrate;
- Authorising Officers must be satisfied that the use of surveillance is both necessary and proportionate and the only reasonable way having considered all others of obtaining the necessary result;
- Officers have been carrying out investigations without seeking to deploy surveillance methods.

4.3 Under the revised Codes of Practice issued by the OSC, it is a requirement that a local authority should review its use of RIPA (at least annually) and set the Policy. To meet these requirements, it is proposed that Cabinet receives an annual report covering the Authority's use of RIPA powers and that Cabinet also reviews the Policy annually.

5. Effect upon Policy Framework& Procedure Rules

5.1 There is no impact on the policy framework and procedure rules.

6. Equality Impact Assessment

6.1 There are no equality implications arising from this report.

7. Financial Implications

7.1 There are no financial implications.

8. Recommendation

8.1 Cabinet is recommended to note the report.

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Background Documents

None