

# BRIDGEND COUNTY BOROUGH COUNCIL

## REPORT TO CABINET

20 OCTOBER 2020

### REPORT OF THE MONITORING OFFICER

#### REGULATION OF INVESTIGATORY POWERS ACT 2000

##### 1. Purpose of Report

- 1.1 The purpose of the report is to seek Cabinet approval of the revised policy under the Regulation of Investigatory Powers Act 2000 (RIPA).

##### 2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:
1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
  2. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

##### 3. Background

- 3.1 RIPA provides a framework for certain public bodies, including local authorities, to use covert surveillance to gather information about individuals without their knowledge for the purposes of undertaking statutory functions in connection with the prevention and detection of crime.
- 3.2 RIPA activity and authorisations are governed by Codes of Practice and Guidance issued by the Investigatory Powers Commissioner (IPC) and the Home Office.
- 3.3 Local authorities are subject to regular inspections from the IPC, the last Council inspection having taken place successfully in May 2017. At the time of drafting this report, the Council is due to be inspected on 15<sup>th</sup> October 2020.
- 3.4 Members are required to review the use of RIPA and set the policy at least once a year. Elected Members cannot be involved in decisions on specific authorisations, but have oversight of the process.

##### 4. Current situation / proposal

- 4.1 The Council has always been very sparing in its use of RIPA. It is only used in cases where it is important to obtain information to support potential criminal proceedings, and only where that information cannot be obtained by any other means. There have been no authorisations for RIPA since April 2014.
- 4.2 Other reasons likely to account for the reduction in the number of authorisations being sought are:
- a reduction in the number of incidents requiring investigation, and
  - increased awareness of the scope of RIPA and the alternatives to covert surveillance as a result of training delivered to Authorising Officers.
- 4.3 Overall responsibility for the use of RIPA lies with the Monitoring Officer who acts as the Senior Responsible Officer. The policy attached as **Appendix 1** has been reviewed and updated to ensure it remains fit for purpose and in accordance with the revised Codes of Practice issued by the Home Office.

## **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. Well-being of Future Generations (Wales) Act 2015 implications**

- 7.1 The wellbeing goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of this report.

## **8. Financial implications**

- 8.1 There are no financial implications arising from this report.

## **9. Recommendation**

- 9.1 Cabinet is recommended to approve the revised policy attached as **Appendix 1**.

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## **Background Documents**

None.