

<b>MEETING:</b>	<b>REGULATORY COMMITTEE</b>
<b>MEETING DATE:</b>	<b>5 JUNE 2014</b>
<b>TITLE OF REPORT:</b>	<b>REVIEW OF REGULATION OF INVESTIGATORY POWERS ACT (RIPA) POLICY</b>
<b>REPORT BY:</b>	<b>SOLICITOR TO THE COUNCIL</b>

## **Classification**

Open

## **Key Decision**

This is not an executive decision.

## **Wards Affected**

County-wide

## **Purpose**

To make the Committee aware of the Regulation of Investigatory Powers Act 2000 (RIPA) policy, which has been reviewed and updated to reflect legislative changes under the Protection of Freedoms Act 2012, and invite the Committee to comment if it wishes prior to the policy being presented to Cabinet.

## **Recommendation**

**THAT: the report for Cabinet on the current legal position with regard to RIPA and the revised policy be noted, subject to any comment the Committee wishes to make.**

## **Alternative Options**

1. Not approving the revised policy would lead to failure to follow legislative provision.

## **Reasons for Recommendations**

2. The council policy on RIPA has been updated to reflect the legislative changes detailed in the draft report for Cabinet (included at Appendix 1).

## **Key Considerations**

3. The Regulation of Investigatory Powers Act 2000 (RIPA) provides the framework under which authorised regulators are able to carry out surveillance activities and access communications data which would otherwise not be legal because of the impact on human rights. RIPA regulates councils in a manner that is compatible with the European Convention of Human Rights and Fundamental Freedoms, which is incorporated into domestic law by the Human Rights Act 1998.

## **Community Impact**

4. As detailed in Appendix 1.

## **Equality and Human Rights**

5. As detailed in Appendix 1.

## **Financial Implications**

6. As detailed in Appendix 1.

## **Legal Implications**

7. As detailed in Appendix 1.

## **Risk Management**

## **Consultees**

8. As detailed in Appendix 1.

## **Appendices**

Appendix 1 – draft report to Cabinet on updated RIPA policy

## **Background Papers**

None