



Title of report: Regulatory Investigatory Powers Act 2000 (RIPA) Update

Meeting: Audit and Governance Committee

Meeting date: Tuesday 28 October 2025

Report by: Head of Legal Services and Deputy Monitoring Officer, Head of Regulation and Technical Services

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

To provide an update to the Committee about the operation of Regulatory Investigatory Powers Act 2000 (RIPA) within the Council.

Recommendation(s)

That the Committee:

- a) notes the RIPA Policy does not require any update since adoption in October 2024;
- b) delegates that certain updates to the RIPA Policy is made to the Monitoring Officer as set out in paragraph 8 of this report;
- c) notes that RIPA powers have not been used by the Council; and
- d) agrees that further reports about the use of RIPA need only to be reported once RIPA has been utilised by the Council.

Alternative options

1. There are no other options.

Key considerations

2. The Council's Constitution tasks this committee with the role of 'To oversee the council's arrangements for Regulatory Investigatory Powers Act 2000 (RIPA) and Investigatory Powers Act 2016 under its Policy'.

RIPA Policy

3. The Constitution does not state the frequency of oversight or what triggers a reference to Audit & Governance. This contrasts with other responsibilities of the Committee which often refers to 'annual reviews'.
4. The [RIPA Policy](#) was reviewed and updated in June 2021. In June 2023 an officer review considered that the policy did not require updating. In October 2024, this Committee approved changes upon recommendation of officers.
5. Neither the Policy nor the terms of reference for the committee are clear as to the period that the Policy should be considered by the Committee. Ordinarily we would expect officers to keep the policy up to date as they occur.
6. Other corporate policies are updated by officers when required due to legislative or other requirements. The RIPA Policy has been reviewed by officers, and it is not currently considered to require any substantive changes.
7. Accordingly, it is considered that simple or consequential changes should be made to the policy as the need arises (for example due to changes to legislation or statutory guidance) without needing to await the annual review by Audit & Governance.
8. The recommendation to committee is that technical changes including those required due to change in legislation, or guidance or those required by, and consequential changes, to correct any error, resolve any inconsistency within the policy or as a result of any other decision of the council is delegated to the Monitoring Officer.

Use of RIPA

9. RIPA has not been used by the Council for the purposes of surveillance since October 2024.

Community impact

10. The right to privacy and a family life is a fundamental right enshrined in law. As is the right to a fair trial. The former however is a qualified right and there are occasions for the purposes of detection and investigation of crime that officers need to breach that right in a specific and proportionate way. The legal frameworks controlling such breaches are set out in the legal frameworks embedded in the Regulation of Investigatory Powers Act 2002 and Investigatory Powers Act 2016 and associated codes of practice. The former requires the Council to have a policy and for it to have robust procedures to ensure that these fundamental rights aren't breached unlawfully

Environmental impact

11. No impact

Equality duty

12. The Public Sector Equality Duty requires the Council to consider how it can positively contribute to the advancement of equality and good relations, and demonstrate that it is paying 'due regard' in our decision making in the design of policies and in the delivery of services.
13. The mandatory equality impact screening checklist has been completed for this project/decision/activity and it has been found to have no impact for equality.

Resource implications

14. There are no direct resource implications.

Legal implications

15. Part II of the Regulation of Investigatory Powers Act 2000(RIPA) places covert surveillance on a statutory basis enabling public authorities identified in the legislation to carry out surveillance operations without breaching the Human Rights Act 1998
16. A number of statutory instruments and codes of practice published by the Home Office govern the operation of RIPA.
17. Organisations using RIPA are subject to regular inspection by the IPCO

Risk management

18. Failure to comply with legislation places the council at risk of legal challenge. Approval of the new policy and compliance with the policy and legislation ensures that the risk to the council is low.

Consultees

19. None.

Appendices

None

Background papers

None