

AGENDA ITEM 6

GOVERNANCE COMMITTEE

27 JUNE 2012

REPORT OF MONITORING OFFICER

REGULATION OF INVESTIGATORY POWERS ACT

1.0 PURPOSE OF REPORT

- 1.1 To allow Members to review the internal policy relating to the Regulation of Investigatory Powers Act 2000 (RIPA).
- 1.2 To inform Members of the Council's use of RIPA for the period 1 April 2011 to 31 March 2012

2.0 RECOMMENDATIONS

- 2.1 **The Committee note that Melton Borough Council has had no requirement to use RIPA procedures for the period 1 April 2011 to 31 March 2012.**
- 2.2 **That Members provide any comments they may have on the Policy.**

3.0 KEY ISSUES

- 3.1 RIPA legislates for the use by local authorities of covert methods of surveillance and information gathering to assist the detection and prevention of crime in relation to an authorities core functions. Melton Borough Council has its own internal policy and guidance relating to RIPA. The authority's use of RIPA is inspected by the Office of Surveillance Commissioner (OSC) approximately every three years, the last inspection of which took place in July 2010, the results of which were very complimentary.
- 3.2 The Governance Committee are required by legislation to review the Melton Borough Council RIPA Policy and Guidance on an annual basis. In addition the use of RIPA will be reported to the Committee on an on-going quarterly basis.
- 3.3 During the period 1 April 2011 – 31 March 2012 there was no requirement for the use of RIPA procedures by the authority. The use of RIPA is very much a 'last resort' and lengthy periods of non-use are not uncommon. The current Policy and guidance has been reviewed in full by Legal Services and the recommendation is that no changes are made to the current policy and guidance.

4.0 POLICY AND CORPORATE IMPLICATIONS

- 4.1 Effective RIPA Policy and Guidance will ensure robust covert surveillance and intelligence gathering.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

5.1 There are no Financial implications arising directly from this report.

6.0 LEGAL IMPLICATIONS/POWERS

6.1 Review of the policy and guidance will ensure compliance with RIPA legislation.

7.0 COMMUNITY SAFETY

7.1 There are no community safety issues directly arising from this report.

8.0 EQUALITIES

8.1 There are no equality issues directly arising from this report

9.0 RISKS

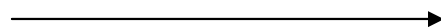
9.1 To consider and give any Risks related to this report.

Probability



Very High A				
High B				
Significant C				
Low D		1		
Very Low E				
Almost Impossible F				
	IV Neg- ligible	III Marg- inal	II Critical	I Catast- rophic

Impact



Risk No.	Description
1	The lack of a robust policy will lead to ineffective use of RIPA

10.0 CLIMATE CHANGE

10.1 There are no climate change issues directly arising from this report

11.0 CONSULTATION

11.1 There is no requirement for consultation on this matter.

12.0 **WARDS AFFECTED**

12.1 All Wards

Contact Officer David Riddle
Date: 21 May 2012

Appendices : Appendix A : Melton Borough Council RIPA Policy and Guidance

Background Papers: N/A

Reference : X: Committees/Governance/2012 13