

STOCKTON-ON-TEES BOROUGH COUNCIL

CABINET RECOMMENDATIONS

PROFORMA

Cabinet Meeting1st September 2016

1. Title of Item/Report

Regulation of Investigatory Powers Act 2000 ("RIPA")

2. Record of the Decision

Cabinet was asked to consider the Council's Corporate Policy and Procedures Document for 2016/17; to affirm the Senior Responsible Officer role and to receive details of the Council's surveillance activity during 2015/16.

Under RIPA, authorities such as the Council could authorise:-

- a. Directed surveillance (e.g. covert camera surveillance) in a manner likely to obtain private information about an individual;
- b. A covert human intelligence source ("CHIS") which was someone who established or maintains a personal or other relationship with another individual for the covert purpose of obtaining information; and the
- c. Acquisition of communications data (e.g. not the contents of a communication, but information about the use made by a person of any postal or telecommunications service);

The only grounds for such authorisations were for the prevention or detection of crime or of preventing disorder.

Only certain prescribed officers could sign authorisations (i.e. Director, Assistant Director, Service manager or equivalent).

Members were provided with details of the RIPA powers, the Councils corporate police and procedure.

During 2015/16 the following covert surveillance took place:-

Directed Surveillance

- The number of directed surveillance authorisations granted during the year – 1

- The number of authorisations in force at the year end – 0

Covert Human Intelligence Source (“CHIS”)

- The number of CHIS recruited during the year – 5
- The number of CHIS who ceased to be used during the year – 5
- The number of active CHIS at the year end - 0

Communications Data

- The number of applications submitted to a designated person for a decision to obtain communications data, which were rejected after due consideration - 0
- The number of notices requiring disclosure of communications data within the meaning of each sub-section of section 21 (4) of RIPA or any combination of data - 1
- The number of authorisations for conduct to acquire communications data within the meaning of each sub-section of section 21 (4) of RIPA or any combination of data - 1

Specific details of authorisations/activity during the year were included in an appendix to the report.

RESOLVED that

1. The Council’s RIPA Corporate Policy and Procedures Document for 2016/17 be confirmed;
2. The Monitoring Officer be affirmed as the Council’s Senior Responsible Officer; and
3. The details relating to the Authority’s RIPA activity during 2015/16 be noted.

3. Reasons for the Decision

To confirm the Authority’s corporate policy and procedures document for 2016/17; to affirm the Council’s Senior Responsible Officer and to ensure Members are conversant with the RIPA activity which has taken place during 2015/16, in accordance with Home Office guidance.

4. Alternative Options Considered and Rejected
None
5. Declared (Cabinet Member) Conflicts of Interest
N/A
6. Details of any Dispensations
N/A
7. Date and Time by which Call In must be executed
Midnight, 9th September 2016

Proper Officer
05 June 2016