



Regulation of Investigatory Powers Act 2000 Annual Performance Report

Report of the Director of Information and Customer Access

1. Purpose of the Report

The report advises on the performance of The Council in authorising Regulatory Investigation Powers Act (RIPA) applications, from 1st Jan 2012 to 31st Dec 2012.

2. Summary

The Council applied for 5 Directed Surveillance authorisations and 39 communications data authorisations in 2012.

The inspection by the Office of the Surveillance Commissioner (OSC) found 100% of the Regulatory Investigation Powers Act (RIPA) authorisations had been issued in compliance with the law.

3. Recommendations

The Committee is recommended to:

- 3.1 Receive the Report and note its contents.
- 3.2 Agree to receive this data half-yearly, aligned with other regulatory papers every July / November in future.
- 3.3 Make any recommendations or comments it sees fit either to the Executive or Director of Information and Customer Access.

4 Report

- 4.1 The Council applied for 5 Directed Surveillance authorisations and 39 communications data authorisations in 2012.
- 4.2 All communications data authorisations were carried out via the National Anti-Fraud Network (NAFN) system on our behalf. The Interceptions of Communications Commissioner's Office IOCCO has recently carried out their regular inspection of NAFN.
- 4.3 The Council did not undergo an inspection from the Interceptions of Communications Commissioner's Office (IOCCO) itself in 2012. It did however undergo an inspection by the Office of the Surveillance Commissioner (OSC)

which was very positive. The inspector found 100% of the RIPA authorisations had been issued in compliance with the law, and only suggested a few recommendations for improvements to the Council's processes.

- 4.4 New RIPA legislation was implemented in November 2012 under the Protection of Freedoms Act 2012, requiring all RIPA applications by Local Authorities to be authorised by a magistrate. The Council has adopted this new process successfully.
- 4.5 All recommendations of the previous OSC inspection have been implemented. The Council now has 5 trained Authorising officers in place and 30 staff have been trained in the updated RIPA / surveillance legislation.
- 4.6 A summary of RIPA authorisations (Appendix A and Appendix B) is published annually on the Council's website by the central Information Governance Team.
- 4.7 A new surveillance policy is currently out for consultation. This will incorporate the new magistrate approval process required, and will document clearly how the Council must manage surveillance to comply with the law when no RIPA authorisation is available to it.

5. Financial, Legal Implications

5.1 Financial Implications

There are no financial implications arising directly from this report, although the Council could incur legal costs and fines should procedures not be correctly followed – Colin Sharpe, Head of Finance, ext. 29 7390.

5.2 Legal Implications

There are no legal implications arising directly from this report, although the Council could incur legal costs and fines should procedures not be correctly followed – Kamal Adatia, City Solicitor, ext. 37 1402.

6. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph References Within Supporting Information
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Climate Change	No	
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	No	
Risk Management	No	

7. Report Author / Officer to contact:

Lynn Wyeth, Information Governance Manager, Information and Customer Access
 - Ext 37 1291

16th August 2013

Appendix A

Communications Data Authorisations 2012

Line number	Group name	Application Date	Service Name	Conduct	CSP
1	N76/Environmental Health	20/01/2012	Subscriber check Online - account information which will identify the owner/user of the mobile number	Authorisation entered via web portal	Vodafone UK
1	N76/Environmental Health	20/04/2012	Subscriber	Assurance via FAX	TTNC Ltd-The Telephone Number Company
2	N76/Environmental Health	20/04/2012	Subscriber check - online	Authorisation entered via web portal	Orange
3	N76/Environmental Health	20/04/2012	Subscriber check - online	Authorisation entered via web portal	Orange
4	N76/Environmental Health	20/04/2012	Subscriber check - online	Authorisation entered via web portal	Orange
5	N76/Environmental Health	20/04/2012	Subscriber - online Historic	Authorisation entered via web portal	T-Mobile (UK) Limited
6	N76/Environmental Health	20/04/2012	Subscriber check - online	Authorisation entered via web portal	Orange
7	N76/Environmental Health	20/04/2012	Subscriber check Online - account information which will identify the owner/user of the mobile number	Authorisation entered via web portal	Vodafone UK
1	N76/Environmental Services	21/11/2012	Subscriber check - online	Authorisation entered via web portal	Orange
1	N76/Trading Standards	19/01/2012	Email Address Subscriber - Please provide subscriber registration information (name, address, post code) for the above e-mail address	Notice via e-mail	Yahoo UK Ltd
2	N76/Trading Standards	19/01/2012	Name and Address details historic - Automatic Authorisation DMS	Authorisation entered via web portal	BT
3	N76/Trading Standards	19/01/2012	Subscriber check Online- please provide full subscriber identity for the phone .	Authorisation entered via web portal	O2 (UK) Limited (c only)
4	N76/Trading Standards	19/01/2012	Subscriber - online Historic	Authorisation entered via web portal	T-Mobile (UK) Limited
5	N76/Trading Standards	19/01/2012	Subscriber Name & address - Date connected and any Date disconnected - If	Assurance via e-mail	Lyca Mobile

			ported name & Date number transferred to another communications company. Email Address Subscriber - Please provide subscriber registration information (name, address, post code) for the above e-mail address		
6	N76/Trading Standards	19/01/2012		Notice via e-mail	Yahoo UK Ltd
7	N76/Trading Standards	19/01/2012	Top up details from mobile phone number	Assurance via e-mail	Lyca Mobile
1	N76/Trading Standards	05/04/2012	Subscriber Name & address - Date connected and any Date disconnected - If ported name & Date number transferred to another communications company.	Assurance via e-mail	Lyca Mobile
2	N76/Trading Standards	05/04/2012	Subscriber Name & address - Date connected and any Date disconnected - If ported name & Date number transferred to another communications company.	Assurance via e-mail	Lyca Mobile
3	N76/Trading Standards	05/04/2012	Subscriber - SIM search - to show mobile number, subscriber identity and address to specific SIM number	Authorisation entered via web portal	T-Mobile (UK) Limited
4	N76/Trading Standards	05/04/2012	Subscriber Name & address - Date connected and any Date disconnected - If ported name & Date number transferred to another communications company.	Assurance via e-mail	Lyca Mobile
5	N76/Trading Standards	05/04/2012	Email Address Subscriber - Please provide subscriber registration information (name, address, post code) for the above e-mail address	Notice via e-mail	Yahoo UK Ltd
6	N76/Trading Standards	05/04/2012	Email Address Subscriber - Please provide subscriber registration information (name, address, post code) for the above e-mail address [Do not send any 'A' data]	Notice via e-mail	Microsoft Corporation One Microsoft Way, Redmond, WA 98052 United States of America
7	N76/Trading Standards	05/04/2012	Top up details from mobile phone number	Assurance via e-mail	Lyca Mobile
1	N76/Trading Standards	05/04/2012	Subscriber check - online	Authorisation entered via web portal	Orange
2	N76/Trading Standards	05/04/2012	Subscriber check - online	Authorisation entered via web portal	Orange
3	N76/Trading Standards	05/04/2012	Subscriber check - online	Authorisation entered via web portal	Orange
4	N76/Trading Standards	05/04/2012	Subscriber check Online- please provide full subscriber identity for the phone .	Authorisation entered via web portal	O2 (UK) Limited (c only)
5	N76/Trading Standards	05/04/2012	Subscriber check - online	Authorisation entered via web portal	Orange

6	N76/Trading Standards	05/04/2012	Email Address Subscriber - Please provide subscriber registration information (name, address, post code) for the above e-mail address	Notice via e-mail	Yahoo UK Ltd
7	N76/Trading Standards	05/04/2012	Subscriber - Email [Name and Full address]	Assurance via e-mail	Orange
8	N76/Trading Standards	05/04/2012	Subscriber - IP address [Name and full address]	Assurance via e-mail	BSkyB
1	N76/Trading Standards	19/06/2012	Subscriber check - online	Authorisation entered via web portal	Orange
2	N76/Trading Standards	19/06/2012	Subscriber check Online - account information which will identify the owner/user of the mobile number	Authorisation entered via web portal	Vodafone UK
1	N76/Trading Standards	25/07/2012	Details of the Name and Address of the subscriber, any call forwarding details and any other connected numbers to the account.	Assurance via FAX	Premier Voicemail
2	N76/Trading Standards	25/07/2012	Subscriber check Online - account information which will identify the owner/user of the mobile number	Authorisation entered via web portal	Vodafone UK
1	N76/Trading Standards	29/10/2012	Top Up - from mobile number	Authorisation entered via web portal	Orange
2	N76/Trading Standards	29/10/2012	Top Up - from mobile number	Authorisation entered via web portal	Orange
3	N76/Trading Standards	29/10/2012	Top Up - from mobile number	Authorisation entered via web portal	Orange
4	N76/Trading Standards	29/10/2012	Top Up - from mobile number	Authorisation entered via web portal	Orange

Appendix B

Direct Surveillance Authorisations 2012

No	Date	Auth Off	URN	Service Area & Description	Reason	Post Code
1	09.02.12	APR	259156	Trading Standards	Rogue Traders	LE2
2	16.07.12	APR	286351	Anti Social Behaviour	Anti-Social Behavior	LE3
3	17.09.12	APR	296060	Environmental Crime	Fly Tipping	LE5
4	29.10.12	APR	302067	Environmental Crime	Fly Tipping	LE4
5	22.11.12	APR	306638	Environmental Crime	Graffiti	LE2