



Leicester  
City Council

WARDS AFFECTED: ALL

Audit and Risk Committee

23 March 2016

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**Regulation of Investigatory Powers Act 2000  
Bi-Annual Performance Report June 2015 – December 2015**

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**Report of the City Barrister and Head of Standards**

**1. Purpose of the Report**

The report advises on the performance of The Council in authorising Regulatory Investigation Powers Act (RIPA) applications, from 1<sup>st</sup> June 2015 to 31<sup>st</sup> December 2015.

**2. Summary**

2.1 The Council applied for 2 Directed Surveillance Authorisations and 0 Communications Data Authorisations in the period above.

2.2 The Council was inspected by the Office of the Surveillance Commissioner (OSC) in December 2015

**3. Recommendations**

The Committee is recommended to:

3.1 Receive the Report and note its contents.

3.2 Make any recommendations or comments it sees fit either to the Executive or to the City Barrister and Head of Standards.

**4 Report**

4.1 The Council applied for 2 Directed Surveillance Authorisations and 0 Communications Data Authorisations in the second half of 2015.

4.2 The following Directed surveillance authorisations were granted by a magistrate:

Date	Reference Number	Council Division / Team	Reason for authorisation	Outcome
28.07.15	498400	Corporate Investigations	Fraud	Successful observations. Evidence gathered. Prosecution pending.
02.09.15	499780	Environmental Crime	Fly tipping (household and commercial)	Intelligence gathered and illegal fly tipping has reduced

4.3 Any future Communications Data Authorisations will be carried out via the National Anti-Fraud Network (NAFN) system on the Council's behalf.

4.4 The Council underwent an inspection by the Office of the Surveillance Commissioner (OSC) in December 2015. There was no inspection by the Interception of Communications Commissioner Office (IOCCO) in this period

4.5 The outcome of the OSC inspection was excellent. The Surveillance Commissioner wrote that he was pleased that the report reflected great credit on the City Council generally and on Lynn Wyeth in particular.

4.6 The four recommendations from the previous report had been positively addressed and were discharged. No formal recommendations were made after this year's inspection.

4.7 The Council currently has 3 trained Authorising Officers in place: Kamal Adatia (City Barrister and Head of Standards), Alison Greenhill (Director of Finance) and John Leach (Director of Local Services and Enforcement). The Director of Local Services and Enforcement undertook Authorising Officer training in November 2015.

4.8 Ongoing staff awareness and training will be undertaken throughout the year using briefings and the online e-learning module for both new and existing staff.

## 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 should procedures not be correctly followed – Colin Sharpe (Head of Finance) ext. 37 4081.

### 5.2 Legal Implications

There are no legal implications arising directly from this report, although the Council could incur legal costs should procedures not be correctly followed – Kamal Adatia (City Barrister and Head of Standards) 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	Yes. HRA Article 8 must be considered for all applications
Elderly/People on Low Income	No	
Risk Management	No	

**7. Report Author / Officer to contact:**

Lynn Wyeth, Information Governance Manager, Legal Services  
- Ext 37 1291

23<sup>rd</sup> March 2016