



Leicester
City Council

WARDS AFFECTED: ALL

Audit and Risk Committee

8 February 2017

**Regulation of Investigatory Powers Act 2000
Bi-Annual Performance Report July 2016 – December 2016**

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 1st July 2016 to 31st December 2016.

2. Summary

2.1 The Council applied for 3 Directed Surveillance Authorisations and 0 Communications Data Authorisations in the period above.

2.2 The Head of Information Governance & Risk ran an internal training session to prepare Local Authority staff for the changes that may be forthcoming as a result of the Investigatory Powers Act.

2.3 The Council now scans RIPA forms onto the Electronic Document Records Management System (EDRMS) in a legally admissible format.

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 3 Directed Surveillance Authorisations and 0 Communications Data Authorisations in the second half of 2016.

- 4.2 The first authorisation (6108481) was undertaken by Corporate Investigations under The Fraud Act 2006. A blue disabled parking permit was allegedly being used fraudulently to avoid city centre parking charges. The circumstances of the person under surveillance changed and the RIPA authorisation was cancelled.
- 4.3 The second authorisation (127926) was undertaken by Neighbourhood and Environmental Services under the Environmental Protection Act 1990 to establish the identity of flytippers, including builders' waste being disposed of at recycling facilities. There were no significant flytips during the surveillance period.
- 4.4 The third authorisation (142650) was also undertaken by Neighbourhood and Environmental Services under the Environmental Protection Act 1990. Intelligence was gathered although no actual flytipping was caught on camera. Flytipping has significantly reduced since the operation was undertaken.
- 4.5 The Head of Information Governance & Risk ran an internal training session to prepare Local Authority staff for the changes that may be forthcoming as a result of the Investigatory Powers Act 2016. 20 members of staff attended. See Appendix A.
- 4.6 The Head of Information Governance & Risk has established a secure area on the EDRMS. Staff can now scan RIPA documentation onto the EDRMS in a legally admissible format in order to support business continuity and integrity of data. Saved documents cannot be altered without leaving an electronic footprint.

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:

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- Ext 37 1291

31st December 2016

Appendix A

