

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 9 FEBUARY 2016

Title of report	REVIEW OF CORPORATE GOVERNANCE POLICIES – REGULATION OF INVESTIGATORY POWERS ACT
Key Decision	a) Financial No b) Community Yes
Contacts	<p>Councillor Nick Rushton 01530 412059 nicholas.rushton@nwleicestershire.gov.uk</p> <p>Chief Executive 01530 454500 christine.fisher@nwleicestershire.gov.uk</p> <p>Head of Legal and Support Services 01530 454762 elizabeth.warhurst@nwleicestershire.gov.uk</p>
Purpose of report	To approve the updated Regulation of Investigatory Powers Act policy.
Reason for Decision	To comply with guidance
Council Priorities	Value for Money
<p>Implications:</p> <p>Financial/Staff</p> <p>Link to relevant CAT</p> <p>Risk Management</p> <p>Equalities Impact Screening</p> <p>Human Rights</p> <p>Transformational Government</p>	<p>The adoption of these policies has no financial or staffing implications in itself.</p> <p>N/A</p> <p>Use of the legislation in accordance with the policy will mitigate the risk of challenge</p> <p>Not applicable to overall policy as undertaken on individual prosecutions</p> <p>Not applicable to overall policy as undertaken on individual prosecutions</p> <p>Not Applicable</p>

Comments of Head of Paid Service	The report is satisfactory
Comments of Deputy Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	None
Background papers	<p>Draft minutes – Audit and Governance Committee – 9 December 2015</p> <p>Regulation of Investigatory Powers Act 2000 http://www.legislation.gov.uk/ukpga/2000/23/contents</p> <p>Changes to Local Authorities Use of RIPA Guidance. https://www.gov.uk/government/publications/changes-to-local-authority-use-of-ripa</p> <p>Protection of Freedoms Act 2012 http://www.legislation.gov.uk/ukpga/2012/9/contents/enacted</p> <p>Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010 http://www.legislation.gov.uk/ukdsi/2010/9780111490365/contents</p>
Recommendations	<p>THAT CABINET:</p> <ol style="list-style-type: none"> 1. APPROVES THE AMENDMENTS TO THE REGULATION OF INVESTIGATORY POWERS ACT POLICY TAKING INTO ACCOUNT COMMENTS FROM THE AUDIT AND GOVERNANCE COMMITTEE; 2. DELEGATES AUTHORITY TO THE HEAD OF LEGAL AND SUPPORT SERVICES, IN CONSULTATION WITH THE CORPORATE PORTFOLIO HOLDER, TO MAKE ANY MINOR AND CONSEQUENTIAL AMENDMENTS TO THE THE REGULATION OF INVESTIGATORY POWERS ACT FROM CHANGES IN LEGISLATION AND PRACTICAL CIRCUMSTANCES (E.G. RESTRUCTURES).

1.0 INTRODUCTION

- 1.1 On 9 December 2015 Audit and Governance Committee considered amendments to the RIPA policy arising from comments made by the Chief Surveillance Commissioner in his Annual report for 2014-15.

- 1.2 A copy of the report is attached as Appendix 1. Members will note Audit and Governance Committee were advised that Cabinet would consider this matter on 16 January 2016. The fact that its was not included on that agenda does not affect the content of the report as officers are required in any event to have regard to the guidance issued by the Surveillance Commuisioner when using surveillance powers under RIPA.
- 1.3 Audit and Governance Committee noted the report without comment.