

EXECUTIVE BOARD MEMBER DECISION MEETING PUBLIC PROTECTION

22ND NOVEMBER 2017

Executive Board Member: Cllr. Phillip Hughes	Portfolio: Communities
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REGULATION OF INVESTIGATORY POWERS ACT

Recommendations / Key Decisions Required:

To approve the changes to the corporate procedure on the conduct of covert surveillance.

Reasons:

Guidance recommends elected members maintain an overview of the use of covert surveillance by the authority and regularly review the procedures governing those activities.

Directorate CHIEF EXECUTIVES Name of Head of Service LINDA REES JONES	Designation HEAD OF ADMINISTRATION & LAW	Tel No. 01267 224012 E Mail Address: LRJones@carmarthenshire.gov.uk
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Declaration of Personal Interest (if any):

None

Dispensation Granted to Make Decision (if any):

N/A

(If the answer is yes exact details are to be provided below:)

DECISION MADE:

Signed:

EXECUTIVE BOARD MEMBER

Recommendation of Officer adopted	YES / NO
Recommendation of the Officer was adopted subject to the amendment(s) and reason(s) specified:	
Reason(s) why the Officer's recommendation was not adopted:	



EXECUTIVE SUMMARY
EXECUTIVE BOARD MEMBER DECISION MEETING
PUBLIC PROTECTION

22ND NOVEMBER 2017

REGULATION OF INVESTIGATORY POWERS ACT

The Regulation of Investigatory Powers Act requires local authorities to adopt written procedures for the conduct of covert surveillance by their staff and for the use of such surveillance and the procedures governing them to be monitored by elected members.

Carmarthenshire County Council complies with this requirement by means of an annual report to the relevant Executive Board Member.

The last annual report was presented shortly before the local authority elections in May 2017.

Since that report a need has been identified to amend the corporate procedure to include a chapter relating to the acquisition of communications data, so that officers are clear as to the correct process to follow when seeking such information.

To date the authority has not used its powers under the Regulation of Investigatory Powers Act to acquire communications data. On the one occasion where an investigating officer sought to do so legal advice was provided that such a step was not necessary to progress the criminal investigation that the officer was engaged in.

Nevertheless, it is considered desirable that the procedure document be amended to include reference to the acquisition of communications data.

An amended version of the procedure document is attached to this report and the Executive Board Member is asked to approve the changes.

DETAILED REPORT ATTACHED?

Amended Covert Surveillance Council Procedures



AILGYLCHWCH OS GWELWCH YN DDA - PLEASE RECYCLE

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: *L Rees-Jones*

Head of Administration and Law

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed:

Head of Administration & Law

1. Local Member(s)

Not applicable

2. Community / Town Council

Not applicable

3. Relevant Partners

Not applicable

4. Staff Side Representatives and other Organisations

Not applicable

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW:

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal files	LS-0134 & LS-649	County Hall Carmarthen

