

12th January 2023

Cabinet Member:	Portfolio:
Cllr. Linda Evans	Homes

SUBJECT:

REGULATION OF INVESTIGATORY POWERS ACT

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

- To note the level of covert surveillance activity undertaken by the Council in 2022
- To note the outcome of the inspection by the IPCO
- To approve to Councils RIPA procedures for 2023

REASONS:

- There is a requirement that elected members exercise oversight in respect of the Council's covert surveillance activity

Directorate: Chief Executives Name of Head of Service: Linda Rees-Jones Report Author: Robert Edgecombe	Designations: Head of Administration and Law Legal Services Manager	Tel Nos. 01267 224018 E Mail Addresses: RJEdgeco@carmarthenshire.gov.uk
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Declaration of Personal Interest (if any):

N/A

Dispensation Granted to Make Decision (if any):

N/A

DECISION MADE:

Signed: _____ **DATE:** _____
CABINET MEMBER

The following section will be completed by the Democratic Services Officer in attendance at the meeting

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
CABINET MEMBER DECISIONS MEETING FOR HOMES
DATE: 12th JANUARY 2023

REGULATION OF INVESTIGATORY POWERS ACT

Purpose

This report gives an update on the level of covert surveillance activity by the Council and reviews the procedures that have been adopted in respect of this activity.

Background and Context

The Regulation of Investigatory Powers Act (RIPA) provides a legal framework by which the Council can seek authorisation to carry out covert surveillance in certain limited circumstances.

The Council did not conduct any covert surveillance in 2022 and indeed has not done so since 2015.

Even so the Council is required to report annually regarding its use of these powers and to keep its procedures under review. There is also a need to ensure relevant staff are suitably trained.

The Investigatory Powers Commissioners Office (IPCO) conducts regular inspections, the most recent being in October 2022. The inspector reviewed the Council's procedures and was satisfied that what it had in place was appropriate to ensure compliance.

The Inspector recommended minor changes be made to the Council's written procedures to reflect the formal withdrawal of guidance issued by the Office of the Surveillance Commissioner (OSC) - predecessor to the IPCO.

This has been done and an amended procedure document is attached.

10 Officers received refresher training by an external training provider in September 2022 and a further 4 officers have received training since then.

It is not considered necessary or proportionate to provide more widespread training given that no covert surveillance has been undertaken since 2015.

DETAILED REPORT ATTACHED?

No

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: Linda Rees-Jones

Head of Administration and Law

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

2. Legal

There is a requirement that officers report to the relevant cabinet member annually

CONSULTATIONS

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

Signed: Linda Rees-Jones

Head of Administration and Law

1. Local Member(s) N/A

2. Community / Town Council N/A

3. Relevant Partners N/A

4. Staff Side Representatives and other Organisations N/A

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 Department file	CCIP-003	County Hall