

17th January 2024

Cabinet Member:	Portfolio:
Cllr. Philip Hughes	Organisation and Workforce

SUBJECT:

REGULATION OF INVESTIGATORY POWERS ACT

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

- To note the level of covert surveillance activity undertaken by the Council in 2023
- 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 ORGANISATION AND WORKFORCE

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 authorise the conduct any covert surveillance in 2023 and indeed has not done so since 2015. There have been no reports of the Council conducting unauthorised covert surveillance during this period.

During the year the Council's Legal Services Manager received 8 queries/requests for advice in relation to Covert Surveillance. In all cases covert surveillance was unnecessary and advice was given accordingly.

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.

As reported in January 2023, key officers received refresher training in 2022.

The only change to the procedures compared to those approved in January 2023 are the replacement of Sue Watts as an authorising officer listed in Appendix 1 by Jonathan Morgan, Head of Communities.

Training will be arranged for Mr. Morgan in 2024.

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 Depart file	CCIP-006	County Hall