

**REGULATION OF INVESTIGATORY POWERS ACT 2000 – ANNUAL MONITORING REPORT
AND ISPO REPORT**

Executive Summary

This report considers (i) the Council's use of the Regulation of Investigatory Powers Act 2000 ("RIPA") during the 2020 calendar year and (ii) the inspection carried out by the Investigatory Powers Commission.

Recommendations

The Executive is requested to:

RESOLVE That

- (i) the Council's non-use of the Regulation of Investigatory Powers Act 2000 during the 2020 calendar year, and
- (ii) the inspection carried out by the Investigatory Powers Commission be noted.

Reasons for Decision

Reason: To comply with the Council's RIPA policy and Home Office Codes of Practice.

The Executive has the authority to determine the recommendation(s) set out above.

Background Papers: None that are public.

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Regulation of Investigatory Powers Act 2000 – Annual Monitoring Report and IPSO Report

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1.0 Introduction

- 1.1 The Regulation of Investigatory Powers Act 2000 (“RIPA”) provides for, and regulates the use of a range of investigative powers by a variety of public authorities. RIPA will impact on the Council’s activities on the rare occasions when covert surveillance is undertaken, e.g. as part of investigations undertaken in connection with the Council’s environmental health, housing, taxi licensing and audit functions.

2.0 Use of RIPA during the 2020 Calendar Year

- 2.1 No RIPA authorisations were issued during 2020.

3.0 Inspection by Investigatory Powers Commissioner’s Office

- 3.1 The Council was subject to an inspection by the Investigatory Powers Commissioner’s Office in March 2020. The report, which was issued in June 2020, concluded that:-

“Woking Borough Council has chosen not to utilise RIPA powers for a substantial period, preferring to rely upon overt enforcement powers. Despite this there appears to be an acceptance that there is a need for the Council to remain prepared to do so should the need arise.”

- 3.2 The report contained two recommendations. The first was that the RIPA Policy should be updated to reflect the Council stance on accessing online private information (particularly that available on social media) in conjunction with investigations. The intention is that this will be fully addressed when the Council adopts its Social Media Policy. In the meantime, an appropriate reference has been included in the RIPA Policy. The second recommendation was that mandatory RIPA e-learning should be completed by relevant Officers. Following the recent management changes, this is being undertaken.

4.0 Corporate Strategy

- 4.1 RIPA powers would only be used for a purpose which was consistent with the Council’s Corporate Strategy.

5.0 Implications

Finance and Risk

- 5.1 None.

Equalities and Human Resources

- 5.2 None.

Legal

- 5.3 None.

6.0 Engagement and Consultation

- 6.1 None.

REPORT ENDS