

Delegated Officer Decision

Reference	Service Grouping
EX4247	Public Protection Partnership (PPP)
Subject:	RIPA (Regulatory of Investigatory Powers Act) Policy
Decision taken:	Authority be delegated to the Head of PPP to approve the RIPA policy under paragraph 3.15.1 of the Council's Constitution.
Reason for decision taken:	To ensure that the authority has a fit for purpose policy in place. The RIPA Policy has not been reviewed since implementation in April 2010 and required updating.
Other options considered:	<p>None – It is a statutory requirement for a Local Authority to have in place a policy as regards RIPA. The policy has been updated to take account of all current codes of practice, IPCO guidance and any feedback from IPCO audit findings.</p> <p>Covert directed surveillance forms an intrinsic part of certain types of investigation and there are times when the only way vital evidence can be secured is through this route. Article 8 of the European Convention on Human Rights sets out the principle of the 'right to privacy. The purpose of RIPA is to provide a framework under which specified public bodies may carry out directed surveillance in a highly controlled and regulated manner. Without this statutory exemption the use of surveillance could give rise to a claim for breach of Human Rights legislation.</p> <p>Surveillance powers can only be accessed by local authorities for the purpose of 'prevention and detection of crime and the prevention of disorder' and are subject to both internal oversight through specifically trained authorising officers and then ultimately judicial oversight by the Magistrates Court.</p>
Decision taken by:	Sean Murphy in consultation with Councillor Tom Marino (Portfolio Holder for Internal Governance and Strategic Partnerships)
Scheme of Delegation Ref:	3.15.1
Job Title:	Public Protection Manager
Those consulted:	<p>Nigel Lynn – Chief Executive and SIRO (Senior Information Risk Owner) or the Council WBC Security Group members, including the Executive Director for Resources Sarah Clarke - Corporate Director, Strategy and Governance Leigh Hogan – Legal Services Manager</p>

	Corporate Board – 02 August 2022
Background papers:	None

I confirm that I have been fully advised and have taken account of all the relevant facts in making this decision.

Date Decision Made	Date Decision will be Implemented (5 clear days)
03 August 2022	03 August 2022

Officer:	Sean Murphy	03 August 2022
Witnessed by:	Moira Fraser	03 August 2022
Date:	03 August 2022	

This decision is not eligible to be 'called-in'.

If you have any queries regarding this decision, please contact:

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