



Chelmsford City Council Governance Committee

16 October 2024

Senior Responsible Officer's report in relation to the Council's RIPA arrangements

Report by:
Senior Responsible Officer

Officer Contact:

Lorraine Browne, Legal & Democratic Services Manager & Monitoring Officer,
lorraine.browne@chelmsford.gov.uk, 01245 606560

Purpose

To update members on the Council's RIPA arrangements.

Recommendations

1. To note the annual update for members.
-

1. Background

- 1.1. RIPA relates to covert investigatory powers given to local authorities for specific and limited purposes. For local authorities such as Chelmsford City Council only three types of activity may be authorised and this includes directed surveillance, the use of covert human intelligence source and the acquisition of communications data. These powers are overseen by the Investigatory Powers

Commissioners Office (IPCO) who undertakes periodic RIPA inspections. Details of how these types of activity could be authorised by the Council are set out in detail in two policies – the RIPA policy and the RIPA social media policy.

- 1.2. In terms of number of authorisations granted, as has been the case for some years, the Council has not needed to obtain any RIPA approvals during the past year. However, the Council needs to make sure that it remains ready to do so if necessary and that staff are properly trained to ensure investigations continue to be undertaken in a lawful and appropriate way. Ongoing annual reviews of RIPA arrangements are undertaken to support this and provide assurance.
- 1.3. Inspections by the Investigatory Powers Commissioner's Office (IPCO) usually take place every few years. An inspection was undertaken last year by way of a written response being provided to the inspectors for consideration. The inspectors were satisfied with the Council's arrangements and the response provided. The next inspection is due 3 years after the last inspection.

2. Annual Review 2024

- 2.1 Both the Council's RIPA and RIPA Social Media Policies were reviewed in some detail during the inspection in 2020. Further technical updating was subsequently necessary because of legislative changes under the CHIS (Criminal Conduct) Act 2021 and a new CHIS Code of Practice. Personnel updates have also been made because of the appointment of new Authorising Officers. The policy and appointment updates are made as necessary by the SRO under officer delegation.
- 2.2 Training of key personnel was completed in house last Autumn although new staff and refresher training is part of ongoing training reviews and is supplemented by external trainers. Further refresher training is planned to take place next year. RIPA policies together with training needs will continue to be reviewed at least annually together with any ongoing actions through the RIPA officer working group. Part of the annual review process also involves providing an assurance report to the Governance Committee, usually in the autumn.

List of appendices:

Nil

Background papers:

Nil

Corporate Implications

Legal/Constitutional: These are set out in the RIPA policies referred to in the report. This report is provided to committee for assurance purposes as to the steps taken to ensure compliance and reduce risk of undertaking covert surveillance without appropriate consideration and authorisation.

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: See legal and constitutional paragraph above.

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees: none

Relevant Policies and Strategies:

Current RIPA and RIPA social media policies
