AGENDA ITEM NO 4

STANDARDS COMMITTEE

12th MARCH 2015

REPORT OF DIRECTOR OF LEGAL AND PUBLIC HEALTH PROTECTION

REGULATION OF INVESTIGATORY POWERS ACT

1.0 Summary of Report

1.1 To update the Committee in respect of the Council’s use of, and compliance with, the Regulation of Investigatory Powers Act.

2.0 Recommendations

2.1 That Standards Committee notes the contents of this report.

3.0 Background Information

3.1 South Staffordshire Council, as a public authority, is subject to the controls set out in the Regulation of Investigatory Powers Act (RIPA) when undertaking covert surveillance in relation to a criminal investigation.

3.2 The Office of the Surveillance Commissioner (OSC) is the oversight body and undertakes inspections of public authorities on a regular basis.

3.3 In October 2014 the Council was subject to an inspection by the OSC; a copy of the report of the inspection is attached to this report as Appendix A.

3.4 Key Findings

3.5 The Council has not utilised the powers available to it under RIPA for a number of years. The Inspector was therefore unable to scrutinise any actual applications but rather concentrated on the Council’s policies and procedures.

3.6 The Council is required to maintain a Central Register of Authorisations; this was found to be compliant with the requirements set out in the relevant Code of Practice.

3.7 The last inspection of the Council was undertaken in 2011 and there was one recommendation arising in respect of the provision of refresher training; the Inspector was satisfied that this recommendation had been discharged.

3.8 The management and internal oversight of RIPA was sound. The training that has been provided in-house was suitable and comprehensive. The Council’s Policy document required no amendments.

3.9 Issues for consideration

3.10 Whilst not an issue identified at this Council, the Inspector raised the issue of “status drift”; that is where a member of the public volunteers information (for example in respect of benefit fraud) and then is inadvertently tasked with
obtaining further information and thus becomes a covert source. This issue is covered in the training provided in-house and the Council already has a system in place to ensure calls are handled by an experienced investigation officer who is aware of the risks of status drift and thus ensures this does not happen.

3.11 The other emerging issue is the use of social networking sites (SNS) such as Facebook as an investigative tool. Again, this was not identified as an issue of concern at this Council and the Inspector was satisfied that both awareness of the issue and procedures in place to deal with it, were satisfactory.

3.11 **OSC Recommendations**

3.12 The Inspector made three recommendations in his report; it should be noted that, as stated in paragraph 32 of his report, there was no inadequacy in current procedures but the recommendations are enhancements.

3.13 The three recommendations are:

(i) Raise RIPA awareness throughout the Council.
(ii) (a) Continue to emphasise and highlight in training the risks of usage of social media sites and "hotlines" and the procedures to be followed in the event of such usage.
(b) Train officers to act as Controllers and Handlers.
(iii) Establish quarterly reporting to Elected Members.

3.14 Steps have already been taken to address these recommendations. A training session for officers of the Council was held on 3 December. An article was placed on The Core (the Council’s intranet for staff) inviting officers to attend this training and thus raising awareness of potential RIPA issues – an email was also sent from the Management Team to all staff highlighting this. The training highlighted the issues set out in 3.13 (ii) (a) above. Details of appropriate training for officers to act as Controllers and Handlers have been obtained and officers will be undertaking this training shortly. Rather than report quarterly to Members, it has been decided to include RIPA usage information in the monthly Members Update that is issued to all elected Members by the Director of Legal and Public Health Protection; in addition, an annual report will be brought to Standards Committee.

4.0 **Alternative Options Considered**

4.1 Compliance with the Regulation of Investigatory Powers Act is a statutory requirement and therefore no alternative options are reasonably available.

5.0 **Reasons for Decision**

5.1 To ensure oversight by Members of the Council’s compliance with the legislation.

6.0 **Links to Council Plan**

6.1 This proposed decision supports and furthers the aims and objectives of the Council’s plan in particular being a council you can trust.

7.0 **Scrutiny Powers**

7.1 Not applicable as report is to Standards Committee.
8.0 Financial Implications

8.1 There are no financial implications arising from this report; any resources needed are met from within existing budgets.

9.0 Legal Powers for Proposed Action


10.0 Crime and Disorder Implications

10.1 Section 17 of the Crime and Disorder Act, 1998, places a duty on local authorities to consider crime and disorder implications and to exercise its various functions with due regard to the likely effect of the exercise of those functions on and to do all that it reasonably can to prevent crime and disorder in its area.

10.2 Unless otherwise stated below this proposed decision is not considered to have any adverse impact for the purposes of the Crime and Disorder Act and all matters have been considered in relation thereto.

11.0 Equal Opportunities / Diversity implications

11.1 Unless otherwise stated, all matters reported are not considered to have any adverse implications and is considered to comply with the Council’s equal opportunities policies.

12.0 Sustainability Issues

12.1 South Staffordshire Council is committed to the principles of sustainability. Tackling climate change is a strategic priority and protection and enhancement of our local environment is at the heart of our vision for local communities. As such the Council is committed to:

- Use resources efficiently
- Minimise pollution and waste
- Protect and enhance the local natural and built environments
- Provide services, which meet current local needs whilst ensuring our local environment is protected for future generations.
- Lead by example and consider the environmental impact of our decisions

12.2 Unless otherwise stated below the proposed decision is not considered to result in any significant adverse impact on sustainability or substantially contribute to the causes of climate change.

13.0 Health and Wellbeing Implications

13.1 There are no significant risk health and wellbeing implications arising directly from this report.

14.0 Risk Assessment
There are no significant risk management/assessment implications arising from this proposed decision.

**Consultation Undertaken**

None.

**Category of Exempt Information**

This matter is not exempt information for the purposes of Part 1 of Schedule 12(A) to the Local Government Act, 1972.

**Background Documents (Schedule)**

None.

**Policy/Budgetary Compliance**

This proposed decision complies with and, indeed, supports the Council’s overall policies and corporate aims and objectives and does not give rise to new expenditure or expenditure not falling within the approved budget.

**Key Decision Information**

Not applicable.

**Conflicts of Interest Declared**

None declared.

**Dispensations granted by the Standards Committee**

None granted.

**Appendix**

A: Office of Surveillance Commissioners Inspection Report

David Pattison
Director of Legal and Public Health Protection
30th October 2014

Dear Mr. Winterflood,

Covert Surveillance

On 8th October 2014, an Assistant Surveillance Commissioner, HH Norman Jones QC, visited your Council on my behalf to review your management of covert activities. I am grateful to you for the facilities afforded for the inspection.

I enclose a copy of Mr Jones’s report which I endorse. I am pleased to see that the recommendation made following the last inspection 3 years ago has been discharged. The progress made in the last 6 years provides testimony to the close personal interest which you take in RIPCA matters and the regular training which you receive. Your SRO, Mr David Pattison, and RIPCA Co-ordinating Officer, Mrs Lorraine Fowles, are sincerely committed to the achievement of RIPCA compliance though the use of covert surveillance is unlikely.

The recommendations are that RIPCA awareness be raised throughout the Council, that training highlight the risks of social media sites and hotlines and train officers to be CHIS handlers and controllers and that there be quarterly reporting to elected members as indicated in paragraph 26 of the report.

I shall be glad to learn that your Council accepts the recommendations and will see that they are implemented. One of the main functions of review is to enable public authorities to improve their understanding and conduct of covert activities. I hope your Council finds this process constructive. Please let this office know if it can help at any time.

Yours sincerely,

Christopher Rose

Mr Steve Winterflood
Chief Executive
South Staffordshire Council
Wolverhampton Road
Codsall
South Staffordshire WV8 1PX
OFFICE OF SURVEILLANCE COMMISSIONERS

INSPECTION REPORT

South Staffordshire Council

8th October 2014

Assistant Surveillance Commissioner:
HH Norman Jones, QC.
OFFICIAL - SENSITIVE

DISCLAIMER

This report contains the observations and recommendations identified by an individual surveillance inspector, or team of surveillance inspectors, during an inspection of the specified public authority conducted on behalf of the Chief Surveillance Commissioner.

The inspection was limited by time and could only sample a small proportion of covert activity in order to make a subjective assessment of compliance. Failure to raise issues in this report should not automatically be construed as endorsement of the unreported practices.

The advice and guidance provided by the inspector(s) during the inspection could only reflect the inspectors' subjective opinion and does not constitute an endorsed judicial interpretation of the legislation. Fundamental changes to practices or procedures should not be implemented unless and until the recommendations in this report are endorsed by the Chief Surveillance Commissioner.

The report is sent only to the recipient of the Chief Surveillance Commissioner's letter (normally the Chief Officer of the authority inspected). Copies of the report, or extracts of it, may be distributed at the recipient's discretion but the version received under the covering letter should remain intact as the master version.

The Office of Surveillance Commissioners is not a public body listed under the Freedom of Information Act 2000, however, requests for the disclosure of the report, or any part of it, or any distribution of the report beyond the recipients own authority is permissible at the discretion of the Chief Officer of the relevant public authority without the permission of the Chief Surveillance Commissioner. Any references to the report, or extracts from it, must be placed in the correct context.

OFFICIAL – SENSITIVE
Chief Surveillance Commissioner,
Office of Surveillance Commissioners,
PO Box 29105,
London,
SW1V 1ZU.

9th October 2014.

INSPECTION REPORT
SOUTH STAFFORDSHIRE COUNCIL

Inspection 8th October 2014.
Inspector His Honour Norman Jones, QC.
Assistant Commissioner

South Staffordshire Council.

1. South Staffordshire Council is a local government authority administering an area of 157.3 square miles of Staffordshire. It serves a population of about 108,300 with Codsall as the largest township.

2. The Strategic Management Team consists of the Chief Executive Officer, Mr Steve Winterflood, a Deputy Chief Executive and five Directors. They are served by 11 Service Managers.

3. The Senior Responsible Officer (SRO) is Mr David Pattison, Director of Legal and Public Health Protection and the Council’s Monitoring Officer, who took over the role from Mr Winterflood about a year ago. The RIPA Co-ordinating Officer is Mrs Lorraine Fowkes, the Legal and Democratic Services Manager, who was appointed in November 2013. She has considerable experience of RIPA having been for a number of years the RIPA Co-ordinating Officer for her previous council, Telford and Wrekin Council, where she regularly received RIPA training.

4. Sir David Clarke, Assistant Surveillance Commissioner, conducted the last inspection of South Staffordshire C for the OSC in November 2011.
5. The Council has effectively ceased to use covert surveillance having granted no authorisations in the three years since the last inspection. This follows a declining pattern which may be seen over the past nine years.

6. The Council Offices are situated at Wolverhampton Road, Codsall, South Staffordshire, WV8 1PX.

**Inspection.**

7. Mr Winterflood and Mr Pattison extended a warm welcome to South Staffordshire C. Mr Pattison remained throughout the inspection and was later joined by Mrs Fowkes. Gratitude is expressed to all officers who took part in the inspection for their enthusiastic and warm assistance.

8. The inspection commenced with a meeting with Mr Winterflood and Mr Pattison to discuss RIPA systems and activities within the Council and in particular to discuss Mr Winterflood's role as the principal authorising officer. This was followed by a further interview with Mr Pattison alone and later accompanied by Mrs Fowkes. The Central Record of Authorisations matrix was examined.

9. Among RIPA issues considered were the reasons for the decline in authorisation, actions taken on past recommendations, the management of RIPA, authorising officers, training, Covert Human Intelligence Sources (CHIS), "Hotlines", Social Media, reporting to Councillors, policy and procedures, the Protection of Freedoms Act and CCTV.

**Examination of Records**

10. The **Central Record of Authorisations** is maintained as a spreadsheet and is compliant with the requirements of the Code of Practice for Covert Surveillance and Property Interference, 8.1. The Council may wish to consider the addition of columns to reflect approval applications before the magistrates. As would be expected no entries have been made since the last visit. It will be an invaluable tool for oversight purposes by the SRO and the RIPA Co-ordinating Officer in the event of further authorisation being undertaken.

**Decline in Authorisations**

11. The fall in the level of authorisation to non-existent was remarked upon and the reasons leading to it that were discussed. Among these are the following:

- The principal user had been the Environmental Health Department for fly tipping investigations. However new overt means have been developed for undertaking this work including joint action with the police in stopping vehicles carrying waste and checking whether Waste Carriers Licences are held by the drivers. This has been productive and prosecutions are being pursued.
- Changing in the gating of some rural lanes where waste tipping has become common has deferred the practice in those places. Unfortunately these offenders have now adopted the practice of simply depositing waste
indiscriminately in roadways. No form of surveillance can counter this unless the offender is observed by chance.

- Other common, though less frequent, users of covert surveillance in the past have been Revenue and Benefits fraud investigators. Operations within that Department, as in most such District Council Revenue and Fraud departments, are now conducted jointly with the DWP which provides authorisation if required. In any event the Council’s officers do not get involved in the actual covert surveillance.

- It was felt that the high degree of attention paid by the media to activities by local authorities using RIPA authorisation and the ensuing criticism of some district councils possibly, in a limited way, had acted to discourage some officers from resorting to covert surveillance.

It was not felt that the Protection of Freedoms Act 2012 had had any effect in causing this decline since the Council had not previously engaged in investigating with covert surveillance the type of offences caught by the Act.

**Actions Taken on Past Recommendations**

12. Sir David Clarke made one recommendation in his 2011 report:

1. That refresher training in RIPA principles and procedures be arranged for the designated authorising officers, gatekeepers and applicants.

Following upon the inspection a training session was arranged and took place in February/March 2012. This predated Mr Pattison taking on responsibility for RIPA. It was followed by further comprehensive training in September 2014 which the officers above attended. This recommendation has been discharged.

**Management of RIPA**

13. The management of RIPA at South Staffordshire C has changed since the last inspection. As indicated above the role of SRO now rests with Mr Pattison and that of RIPA Co-ordinating Officer with Mrs Fowkes. Both are highly competent officers with a wide range of RIPA knowledge and, in Mrs Fowkes, RIPA experience. Both are highly experienced lawyers and Mrs Fowkes answers to Mr Pattison in the Legal and Democratic Services Department. In the absence of applications/authorisations the officers have not had to engage with RIPA during the last year. However Mrs Fowkes was engaged during the period before her transfer to South Staffordshire C and has some experience in the new approval system requiring attendance at a Magistrates’ Court. This is valuable experience in the event of South Staffordshire C engaging in future authorisation. She delivered the most recent training and anticipates doing so in the future.

14. A wide ranging discussion was held covering many aspects of RIPA. Throughout the officers impressed both with their individual knowledge of RIPA principles and the manner in which they proposed to operate the systems which had been put in place for the management of RIPA. Mr Pattison was concerned to ensure that the Council remained compliant but felt that it had gone a long way to
achieving this following heavy criticised in the 2008 OSC report. He will retain a firm "hands on" approach ensuring that training of authorising officers and other RIPPA involved staff is regularly undertaken, that the Corporate Policy and Guidance Document on RIPPA is kept up-to-date and, through the media of his regular contact with Mrs Fowkes, exercise oversight on the RIPPA process within the Council.

15. Mrs Fowkes was alert to her responsibility for keeping the RIPPA records, maintaining oversight of submitted documentation and organising training. She was somewhat less familiar with the need to establish a good degree of RIPPA awareness throughout the Council, but was readily willing to adopt this responsibility. Both she and Mr Pattison are fully aware of the risks of officers in councils which are not undertaking covert surveillance becoming less familiar with RIPPA requirements and drifting into unauthorised surveillance. The best way to avoid this is to ensure that RIPPA awareness is kept at a high level across the Council, though this does not require the average officer having comprehensive knowledge of the subject. Some processes already exist for raising awareness and these include the cascading down of information from management meetings. We discussed other means which are not demanding of resources. They include placing informative material in the CEO’s regular intranet briefing to staff and occasional email RIPPA reminders to all staff. It was encouraging to note that Mrs Fowkes had already sent such an email on a previous occasion prior to the training which was undertaken in September of this year.

See recommendation

16. Additionally both Mr Pattison and Mrs Fowkes make themselves available, at all stages of the authorisation process, to applicants, gatekeepers and authorising officers who may wish to seek advice.

17. In addition to the SRO and the RIPPA Co-ordinating Officer the Council, following the 2008 inspection, instituted a system of "gatekeepers". These are three officers at Service Manager level who have received authorising officer training and who review applications before they are submitted to an authorising officer. They have the power to remit inadequate applications to the applicant requiring problems to be addressed. This is a creditable system which has been favourably remarked upon at the previous inspection. Whilst not intended to be a criticism of the system, the incidence of the Protection of Freedoms Act 2012 now means that all authorisations are comprehensively reviewed by Mrs Fowkes and Mr Pattison before being submitted for approval by a magistrate. It may be that the Council would wish to consider whether that does not provide adequate oversight in any event.

Authorising Officers

18. Six officers, including the CEO, are nominated as authorising officers for the Council. All have received appropriate training but in practice it is anticipated that the CEO will continue his practice of undertaking most authorisations. Indeed he has been involved with RIPPA for over 10 years as an authorising
officer. He has a wide knowledge both of the legislation and of the best practises for authorisation. He was alert to all the basic principles and to a number of common pitfalls and readily conceded that if he was in any doubt he would seek the advice of the legal officers. He considered that having his authorisations challenged was both invigorating and of great value in increasing his own competence in the field.

19. This calls into question the requirement for six authorising officers. It emerged in discussion that one authorising officer will shortly be retiring. Mr Patterson, as SRO, is one of the authorising officers but has already adopted the position that he will not authorise save in exceptional circumstances. This is because he recognises the conflict between his oversight role as SRO and authorisation since he would be overseeing his own authorisations. That leaves four effective officers. Mr Pattison feels happy with that number since it provides cover in the event of Mr Winterflood's absence from the Council. No authorising officer may authorise unless appropriately trained. The SRO has the power to nominate authorising officers and, if he considers it appropriate, reduce those numbers.

Training

20. The Council has now instituted an effective training programme. Mr Winterflood indicated that training was anticipated to be delivered annually for applicant and authorising officers and that he attends. The determination to follow this practice was emphasised both by Mr Pattison and Mrs Fowkes. As previously remarked Mrs Fowkes has wide experience in this field and is more than capable of undertaking the role as primary trainer but she would happily engage an external professional trainer in the event of developments in RIPA which she considered required greater knowledge. In September 2014 she delivered the most recent refresher training for authorising officers, gatekeepers and benefit fraud investigators, and her training slides were provided for the inspection. They are more than adequate for that purpose and comprehensively cover the field. It was particularly encouraging to note that she had placed heavy emphasis upon the risks of engaging in investigations within social networking sites (SNS). She could add to that the risks contingent upon the receipt of intelligence on "hotlines". The risks of "status drift" into becoming a CHIS when engaging in either of these fields needs emphasis as does the requirement for CHIS management in that event. In this latter respect a small number of officers should be trained to carry out the duties of Controller and Handler.

See recommendation

21. It is intended that future training will embrace as wide a range of interested and involved officers as possible. Mrs Fowkes plans to deliver training for applicant officers by the end of this year based on the course she provided in September but with greater concentration on the basic and practical issues.

22. Mrs Fowkes keeps herself abreast of RIPA developments both through legal publications, material which she obtained from a professional external trainer and by going on courses. In the next month she has planned for herself training by the NAFN.
CHIS, Social Media and “Hotlines”

23. In common with most district councils South Staffordshire Council does not employ CHIS. There is recognition that in certain very rare circumstances the employment of CHIS may be unavoidable and that the Council should be in a position to do so if required. At the present time officers have not been trained specifically to manage CHIS. The greater risks to the Council are the inadvertent drifting by officers into using individuals who have unintentionally become CHIS or of an officer drifting into the status of CHIS. Particular areas of concern are those where a Council uses a “hot line” in its fight against fraud and where social networking sites are used as a source of intelligence. In the “hot line” situation care has to be taken that the officer responding to an informant does not permit him/herself to inadvertently task the informant to obtain information through relationships the informant may have. It is encouraging to note that a system exists in the Council Contact Centre for ensuring that this does not happen. Those who receive calls on the “hot line” use a script prepared by the interested Department to ensure that they do not drift into a compromised situation. The caller would be connected to an investigating officer trained to take information and then to close the contact down. Risks of inadvertent tasking are covered at training and Mrs Fowkes was at pains at the last training session to obtain feedback from officers to determine whether they were alive to these risks. She was encouraged by the wide degree of awareness demonstrated.

24. The emerging use of social networking sites (SNS) by certain enforcement departments was considered. The value of sites such as “Facebook” as providers of useful intelligence is becoming apparent. This is particularly so in councils that have trading standards responsibilities but it is also emerging as a feature in benefit fraud investigations. Indeed Mrs Fowkes has already made enquiry of the Council’s benefit fraud investigators to determine their familiarity with this field. She discovered that the officers did maintain a Facebook account and from time to time interrogated it to seek information concerning particular claimants. They did not go beyond the open source material and did not operate a pseudo account. Great care was taken to keep a log of occasions when these activities were undertaken. She was confident that the officers would not breach the privacy controls before first seeking legal advice. How far departments can go before they should authorise for covert surveillance is sometimes a debatable point. As a rule of thumb reviewing open source sites does not require authorisation unless the review is carried out with some regularity when directed surveillance authorisation may be required. The problems start when the investigator, utilising a pseudo account which conceals his/her identity as a Council official, is tempted to breach the privacy controls and become a “friend”, on (e.g.) a Facebook site, for the purposes of gleaning intelligence. This is a covert operation which is intended to obtain private information and should be authorised, at the minimum, as directed surveillance. However it is also possible that the investigator is engaged in intrusive surveillance if the account operator is in a room in a private dwelling or in a motorcar. Finally if the investigator engages in any form of relationship with the account operator then he is likely to become a CHIS requiring authorisation as such and management by a Controller and Handler with a record being kept and a risk assessment created.
See recommendation

Policy and Procedures.

25. The Council's RIPA Corporate Policy and Guidance Document contains the Council's RIPA policy and procedures and has recently been re-edited (July 2014). It was described at the time of the last inspection as "an excellent comprehensive document" and Sir David Clarke could find no fault in it. Largely the work of Mrs Fowkes' predecessor, Mrs Lin Robinson, it is standing the test of time and the revised edition, now the work of Mrs Fowkes, is deserving of the same commendation as previously. No amendments are recommended at this time.

Councillors

26. Councillors are kept informed of RIPA developments through a quarterly meeting between the SRO and the Chairman of the Standards Committee and by updates sent by the SRO to members of the Committee when there are new developments in the field. There is no quarterly report to Members as envisaged by the Code of Practice for Covert Surveillance and Property Interference (3.30). This needs to be addressed and it would be appropriate for a short report which indicates RIPA activity, or lack of activity, to be sent to the appropriate Committee on at least a quarterly basis. It is as important for Councillors to be aware that no covert surveillance is being undertaken by the Council as it is for them to be aware of covert activity which is undertaken. An annual report is to be submitted to Councillors to enable them to determine that the Council's RIPA policy and procedures are fit for purpose. This was not the practice before Mr Paterson's appointment as SRO. Councillors are aware that they may not be concerned with individual authorisations.

See recommendation

CCTV

27. The Council operates, through its contractor Enigma Security Solutions Ltd, a public CCTV system throughout the district. The contractor is experienced in this field and is aware of the need to obtain RIPA authorisation in the event of the police or any other law enforcement agency requesting to use the system for the purposes of covert surveillance. Such a requirement is written into a protocol between the Council and the police and into the contract with Enigma. Records of any such usage are required to be kept by the company.

Protection of Freedoms Act 2012
RIP(Directed Surveillance and CHIS)(Amendment)Order 2012, SI 2012/1500

28. The provisions of this legislation require the Council to obtain the approval of a magistrate before an authorisation can become effective. In addition it limits offending which may be subject to covert surveillance by the Council to offences carrying a maximum sentence of not less than six months imprisonment and to
tobacco and alcohol related investigations. The legislation does not appear to have had any effect in South Staffordshire since the Council did not use covert surveillance for the now prohibited purposes prior to the Act. The procedures for obtaining approval were discussed with the officers. As remarked above Mrs Fowkes has had the experience of taking an application to the magistrates whilst she was at Telford. She would propose to follow the same procedures at South Staffordshire and would anticipate attending the Magistrates’ Court herself, for the earlier applications, accompanied by the applicant and the authorising officer. There is some debate locally as to whether all Staffordshire applications under this legislation will be heard at Stoke Magistrates’ Court by a District Judge.

Conclusions.

29. It is most encouraging to note the progress which South Staffordshire C has made since 2008. The Chief Executive Officer takes an active interest in the Council’s RIPA activities and in RIPA developments generally. He is a highly experienced authorising officer and ensures he receives regular training. Both the SRO and the RIPA Co-ordinating Officer are lawyers with experience in the field. They are determined to ensure that the Council is RIPA compliant even though they recognise that the use of covert surveillance by the Council is unlikely. They are alert to a variety of risks outlined within this report and organise training to address these. They intend to heighten RIPA awareness to avoid unauthorised covert surveillance.

30. The RIPA system now in place at the Council is adequate for its purposes and the RIPA Policy and Guidance Document is an excellent example of its kind.

31. It was unfortunate that it was not possible to test the established systems against actual authorisations since there had been none since the last inspection. However the enthusiasm of the officers coupled with their undoubted capability gives confidence that the Council is equipped to handle situations requiring authorisation in the future.

32. The three recommendations proposed are not intend to reflect any inadequacy on the part of the Council but to emphasise the importance of developing certain procedures which are already in place.

Recommendations

33. 
   (i) Raise RIPA awareness throughout the Council. (Paragraph 15).
   (ii) (a) Continue to emphasise and highlight in training the risks of usage of social media sites and “hotlines”, and the procedures to be followed in the event of such usage.
        (b) Train officers to act as Controllers and Handlers. (Paragraphs 20, 22 and 23)
   (iii) Establish quarterly reporting to Elected Members. (Paragraph 25).
His Honour Norman Jones, QC,
Assistant Surveillance Commissioner.