

REPORT TITLE: Annual RIPA update

Meeting:	Cabinet
Date:	10th December 2024
Cabinet Member (if applicable)	Cllr Tyler Hawkins
Key Decision Eligible for Call In	No No – not a decision-making report
Purpose of Report To brief Cabinet on the use of the Regulation of Investigatory Powers Act 2000 by the Council since the last report on use in September 2023.	
Recommendations <ul style="list-style-type: none"> • That the report be noted by members Reasons for Recommendations <ul style="list-style-type: none"> • The report is for information only 	
Resource Implications: A need for officer training has been identified.	
Date signed off by Executive Director & name Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning?	Rachel Spencer-Henshall – 27th November Kevin Mulvaney - 27th November Samantha Lawton – 26th November

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

Has GDPR been considered? Yes

1. Executive Summary

- 1.1 The role of Cabinet in Regulation of Investigatory Powers Act (RIPA) 2000 matters is to provide strategic oversight and to keep the Council's use of surveillance under review. This is the annual report on the Council's use of RIPA to Cabinet.
- 1.2 As a result of the view of the Investigatory Powers Commissioner's Office (IPCO) that the use of RIPA should be considered more often than annually by Local Authorities the Council's Corporate Governance and Audit Committee considers and monitors any RIPA related matters during the year as part of its quarterly audit reports. The process followed is that any reports are to be brought back to cabinet to be considered during the year as necessary. There were no incidents which required RIPA to be used in the period since the last report to Cabinet and therefore no reports were required to be brought back to Cabinet since the last annual report.

2. Information required to take a decision

- 2.1 The Council is subject to the requirements of RIPA, which sets out how and when a local authority can engage in covert surveillance. RIPA regulates three types of surveillance, these being directed surveillance, the use of covert human intelligence and the obtaining of communications data. The current policy was adopted in January 2019 when it was amended in line with the implementation of GDPR and the Data Protection Act 2018.
- 2.2 The annual return to IPCO for 2023 has been completed. This is a report to the Commissioner on the Council's use of investigatory powers during 2022.
- 2.3 The RIPA policy has been reviewed and only one update has been made. This is a minor amendment, to change details of the Authorising Officers. Members are asked to note the update.
- 2.4 The number of RIPA authorisations granted since the last annual report is 0.
- 2.5 The Council is subject to an IPCO inspection every three years. The most recent inspection took place in the autumn of 2023 and there were no issues identified by the Regulator.
- 2.6 Members are asked to note that training for officers at all levels is something that the regulator does take a keen interest in. No formal training has taken place since 2019 and it is proposed that external training will be sourced for officers and this is likely to take place in the 2nd quarter of 2025 and will be funded from existing budgets.

3. Implications for the Council

- 3.1 **Working with People**
N/A

3.2 Working with Partners

West Yorkshire Police – this will most often be a formal request for access to CCTV information held by the Council and is provided on the basis of a formal written request.

West Yorkshire Trading Standards– this will usually be within the context of test purchase operations, typically involving sales of age restricted goods to minors.

3.3 Place Based Working

N/A

3.4 Climate Change and Air Quality

N/A

3.5 Improving outcomes for children

N/A

3.6 Financial Implications for the People Living or Working in Kirklees

N/A

3.7 Other (eg Legal/Financial or Human Resources)

Externally sourced training will involve a cost to the authority.

4. Consultees and their opinions

4.1 The following have been consulted on the contents of this report and have approved them:

4.1.1 The Service Director – Legal, Governance and Commissioning, as Senior Responsible Officer

4.1.2 The Head of Legal Services, as RIPA Monitoring Officer

4.1.3 The Cabinet member for Corporate Services

5. Next steps and timelines

5.1 To assess training needs and source suitable external training for officers, to take place in early 2025, in advance of the next IPCO inspection.

5.2 To continue to raise RIPA awareness, particularly with regards to the use of social media to obtain intelligence.

6. Officer recommendations and reasons

6.1 That members note the updated RIPA policy.

6.2 That members note the remainder of the report.

7. Cabinet portfolio holder's recommendations

7.1 That members note the report.

8. **Contact officers**

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9. **Background Papers and History of Decisions**

2023 Annual RIPA report to Cabinet - [2023 RIPA Annual Report](#)

Quarterly reports to Corporate Governance and Audit

10. **Service Director responsible**

Samantha Lawton
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