

# TONBRIDGE & MALLING BOROUGH COUNCIL

## GENERAL PURPOSES COMMITTEE

29 June 2015

### Report of the Director of Central Services

#### Part 1- Public

#### Matters for Information

#### **1 OFFICE OF SURVEILLANCE COMMISSIONERS –INSPECTION REPORT- THE REGULATION OF INVESTIGATORY POWERS ACT 2000**

##### **1.1 Introduction**

1.1.1 In order to ensure that public authorities carry out covert activities in a lawful manner, the Office of Surveillance Commissioners (OSC), conducts regular reviews of our policies and procedures. On 18 November 2014 Mr Kevin Davies from the OSC carried out a review at our offices and a copy of his inspection report is attached at Annex 1.

1.1.2 The Inspector reviewed the progress on the single recommendation made following the last inspection in November 2011 and considered that this had been addressed. He concluded that the Council does not utilise the powers vested under RIPA frequently, preferring to use overt methods. Regardless of this he recognised that the Council do take their responsibilities under the legislation seriously and are well trained and have good policies and procedures in place. Accordingly he made no formal recommendation.

##### **1.2 Financial and Value for Money Considerations**

1.2.1 The operation of the surveillance policy has negligible financial impact upon the Council.

##### **1.3 Risk Assessment**

1.3.1 Authorisations under RIPA provide lawful authority for the Council to carry out covert surveillance, subject to the approval of a Magistrate. Failure to comply with the requirements of the Act may render the enforcement activity unlawful, and lead to the exclusion of evidence obtained through surveillance.

##### **1.4 Policy Considerations**

1.4.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

##### **1.5**

Background papers:

Nil one

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