

Regulation of Investigatory Powers (Scotland) Act 2000 (RIPSA)

Annual report

1.0 HEADLINES

1.1 The Regulation of Investigatory Powers (Scotland) Act 2000 (RIPSA) places a requirement on public authorities to authorise certain types of covert surveillance during planned investigations.

1.2 The Scottish Government Code of Practice on Covert Surveillance and Property Interference requires an annual report on the use of RIPSA to be reported to Members ('the code of practice')

2.0 RECOMMENDATIONS

2.1 The Audit and Scrutiny Committee consider and note the terms of the report.

3.0 DETAIL

3.1 Regulation of Investigatory Powers (Scotland) Act 2000 places a requirement on public authorities to authorise certain types of covert surveillance during planned investigations.

3.2 The Council has a policy and procedure that allows for the appropriate authorisation of requests for covert surveillance to be considered/approved/refused and monitored through to completion.

3.3 The policy and procedure has been reviewed/updated and was approved at the SMT on 26 February, it is attached at appendix 1.

3.4 Between 1 January 2023 and 31 December 2023 the Council undertook no covert surveillance operations.

3.5 We recently received the 3 yearly inspection by the Regulatory Body IPCO (Investigatory Powers Commissioners Office) who were content that the information sent to them which included the policy and procedure document provides them with assurance that our ongoing compliance with RIP(S)A 2000

and the Investigatory Powers Act 2016 will be maintained and as such, we will not require further inspection this year.

4.0 CONCLUSION

4.1 The Council has met the requirements of the code of practice by providing this report to Committee.

5.0 IMPLICATIONS

- 5.1 Policy – None
- 5.2 Financial – None
- 5.3 Legal – None
- 5.4 HR - None
- 5.5 Fairer Duty Scotland – None
 - 5.5.1 Equalities – None
 - 5.5.2 Socio-Economic – None
 - 5.5.3 Islands – None
- 5.6 Climate Change - None
- 5.7 Risk – None
- 5.8 Customer Service - None
- 5.9 The Rights of the Child (UNCRC) - None

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28 February 2024

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APPENDICES

1. Policy and Procedure document