

HAVANT BOROUGH COUNCIL

At a meeting of the Governance & Audit Committee held on 4 August 2014

Present

Councillor Smith K (Chairman)

Councillors Mackey, Hart, Perry, Wilson and Shimbart

14 Apologies

Apologies for absence were received from Councillors Mrs Smallcorn and C Tarrant.

15 Declarations of Interest

There were no declarations of interests from any of the members present.

16 Chairman's Report

There were no matters the Chairman wished to report to the Committee.

17 Changes to Corporate Surveillance Policy and Procedure

The Committee received a report from the Senior Lawyer (Contentious) requesting that the Committee formally review the Council's Corporate Surveillance Policy following two amendments to the Regulation of Investigatory Powers Act 2000 (RIPA):

- 1) In order to carry out covert surveillance authorisation was now required to be obtained from the Magistrates' Court following provisional authorisation by duly authorised Council Officers;
- 2) Authorisation under the Regulation of Investigatory Powers Act 2000 was now only permitted if the purpose of the surveillance was the prevention or detection of crime(s) punishable by six months imprisonment or more, or related to the sale of alcohol or tobacco to underage persons.

The Senior Lawyer brought to the Committees attention to some typographical errors in the report and reminded members that a Councillor training course on the Act was planned for 22 August 2014.

The Committee requested that the Council's Corporate Surveillance Policy come before the Governance and Audit Committee on an annual basis for review.

RESOLVED that the amended Corporate Surveillance Policy be adopted by the Council subject to:

Governance & Audit Committee (4.8.14)

- (a) Paragraph 4 on page 5 being amended to read “It is essential, therefore, that all involved with RIPA comply with this document and any further guidance that may be issued, from time to time by the designated Senior Responsible Officer identified by the Council’s Constitution.” and;
- (b) The first sentence of paragraph 14.1 on page 21 be amended to read “The Officer of Surveillance Commissioners (OSC) has been established under RIPA to facilitate independent scrutiny of the use of RIPA powers by the investigatory bodies that are subject to it.”

The meeting commenced at 5.00 pm and concluded at 5.24 pm