

Report of the Chief Executive

Regulation of Investigatory Powers Act 2000 Policy1. Purpose of Report

To seek Cabinet approval for the Regulation of Investigatory Powers Act 2000 (RIPA) Policy and to inform Members that none of the RIPA powers have been used in 2025. This relates to the Council's Corporate Plan Priority for the Community Safety priority: to make Broxtowe a safe place for everyone.

2. Recommendation

Cabinet is asked to RESOLVE that the Policy for ensuring compliance with RIPA is appropriate and remains fit for purpose and to note that there has been no use of the RIPA powers in 2025.

3. Detail

The RIPA Policy document should be reviewed at least once a year by Members to ensure it remains fit for purpose.

The RIPA Policy is included at **Appendix 1** and the proposed changes to it are in the change table at **Appendix 2**. This review has been procedural rather than operational, as no substantive changes have been made, and the existing Policy remains fit for purpose.

The Policy also requires Members to consider the use of the RIPA powers (on an annual basis) to ensure it is being used in accordance with the legislation. There has been no use of the RIPA powers since July 2015. Additionally, these powers should only be used in exceptional circumstances, as the Council has not used them reflects a positive position.

In addition to monitoring RIPA usage, the RIPA Co-ordinating Officer is required, in line with the Council's policy, to ensure refresher training on RIPA is available to Officers on an annual basis. Due to the recent change in the Senior Responsible Officer and the proposed permanent changes to the General Management Team (GMT), external RIPA training will be provided to relevant Officers during 2026. This will ensure Officers properly understand their responsibilities and operate within regulatory requirements.

4. Key Decision

This is not a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

5. Update from Scrutiny

Not applicable.

6. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

There are no financial implications to consider as part of this report.

7. Legal Implications

The comments from the Monitoring Officer/Head of Legal Services were as follows:

If the Council does not adopt a revised RIPA Policy and there is no common reference point, there is a risk that covert surveillance is inconsistently applied across different service areas. This might increase the risk of legal challenge and reduce the fairness and effectiveness of the Council's approach to covert surveillance. The adoption of a policy is considered to be best working practice and will also assist the Council to demonstrate that it has regard to the relevant legislation and Codes of Practice.

8. Human Resources Implications

Not applicable.

9. Union Comments

Not applicable.

10. Climate Change Implications

Not applicable.

11. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

12. Equality Impact Assessment

Not applicable as no substantive amendments made.

13. Background Papers

Nil.