

APPENDIX A

2016 Inspection Report Recommendations

10 Recommendations

10.1 Recommendation 1 - The Council should ensure that it remains in an appropriate state of corporate preparedness in order to effectively discharge its responsibilities under the terms of the Regulation of Investigatory Powers Act 2000. To that extent it is recommended that it periodically reviews its internal arrangements so as to ensure that they include the following characteristics as a minimum. There should be:

- a) a clearly identified Senior Responsible Officer who is knowledgeable in RIPA matters and understands their responsibilities. Their identity and role should be communicated to all relevant personnel,
- b) readily accessible, relevant and up to date policy and practitioner guidance which is regularly updated,
- c) ready access to the RIPA legislation, the Codes of Practice and the most current OSC Procedures and Guidance document,
- d) one or more clearly identified authorising officers who receive training and regular knowledge/awareness refresher provision which ensures they remain appropriately competent for their role, and their identities and role should be communicated to all relevant personnel,
- e) coherent and clearly communicated and understood RIPA authorisation processes together with appropriately formatted RIPA documentation,
- f) a Central Record of authorisations which contains the information required by the RIPA Codes of Practice,
- g) coherent processes and audit trails which ensure that those called upon to undertake activities in accordance with the terms of an authorisation granted are suitably trained and equipped for their role and supported by clear processes pursuant of *R v Sutherland*,
- h) a workforce which has a level of understanding of RIPA which is commensurate with their role within the organisation,
- i) effective liaison arrangements with the local magistrates in order that the requisite judicial approval considerations in relation to RIPA authorisations can be diligently and expeditiously applied.

10.2 Recommendation 2 – The Council should ensure that arrangements are in place so as to comply with the legislative requirement to report RIPA policy to elected members on at least an annual basis in accordance with paragraph 3.35 of the Code of Practice for Covert Surveillance and Property Interference.

10.3 Recommendation 3 - The RIPA Senior Responsible Officer (SRO) for Chesterfield Borough Council establishes the degree of awareness relating to RIPA amongst the investigative and enforcement staff of Avarto and where this is considered to be deficient, to ensure that appropriate provision is made. In addition, the SRO should satisfy himself that clear and effective procedures exist to appropriately accommodate RIPA related activity by Avarto when acting as agents of Chesterfield Borough Council and these matters should be included within the existing Council RIPA policy.