



**Basingstoke
and Deane**

Viewing of Social Networking Sites and RIPA Inspection Update

Cllr Eachus, Cabinet Member for Regulatory Services and the Environment

Report to **Audit and Accounts Committee 28 January 2019**

Ward(s): **All**

Key Decision:

Appendix 1: **None**

Papers relied on: **Regulation of Investigatory Powers Act 2000 – Corporate
Policy and Procedure on the use of Covert Surveillance**

**Office of Surveillance Commissioners Procedures and
Guidance 2016**

**Foreword - Cllr Eachus, Cabinet Member for Regulatory Services and the
Environment**

This report provides Members of the Committee with a summary of the viewing of social networking sites by officers in an investigatory capacity. It is good to note the views of the Investigatory Powers Commissioner's Office in relation to the council's compliance with the legislation.

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| <p>The Committee is invited to note the content of this report</p> |
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Background, corporate objectives and priorities

The Regulation of Investigatory Powers Act (RIPA) requires Members to have regular oversight of activities authorised under the Act.

An annual report will be provided regarding the use of RIPA. However, a summary of the viewings of social networking sites by officers will continue to be provided to each meeting of the Committee.

The annual report will be provided in July each year, unless a RIPA authorisation is granted, in which case a report will be made to the next meeting of the Committee.

A summary of the viewing of social networking sites for the period 1 November to 31 December 2018 is provided in paragraph 2.1 below.

This report accords with the council's Policy and Budget Framework and supports the development of an effective and efficient council

Glossary of terms

| Term | Definition |
|------|--|
| RIPA | Regulation of Investigatory Powers Act |
| IPCO | Investigatory Powers Commissioner's Office |

Main considerations

1 Executive summary

1.1 This report provides Members of the Committee with a summary of the viewing of individuals' social networking sites in an investigatory capacity for the period 1 November to 31 December 2018.

2 Key issues for consideration

2.1 The viewing of social network sites during the period 1 November to 31 December 2018 can be found below:

| Date | Team | Site Viewed | Purpose |
|---------|-------------------------|---------------|---|
| 1/11/18 | Internal Audit | Facebook | To substantiate an allegation of fraud/initial investigation following allegation |
| 4/11/18 | Community Safety Patrol | Google search | To verify details of an individual |

| | | | |
|----------|--|---------------|--|
| | Officers | | involved in antisocial behaviour incidents |
| 5/11/18 | Regulatory Services – Environmental Health | Facebook | Initial check to see if selling food |
| 13/11/18 | Community Safety Patrol Officers | Google search | To verify details of individual involved in antisocial behaviour |

2.2 A comparison showing the number of viewings of Social Networking sites is provided below:

| | 2017 | 2018 |
|-----------------------|-----------|-----------|
| January | 11 | 0 |
| February | 9 | 3 |
| March | 4 | 1 |
| April | 3 | 1 |
| May | 10 | 1 |
| June | 2 | 0 |
| July | 0 | 0 |
| August | 2 | 1 |
| September | 2 | 2 |
| October | 7 | 6 |
| November | 3 | 4 |
| December | 0 | 0 |
| TOTAL VIEWINGS | 53 | 19 |

Corporate implications

3 Legal implications

- 3.1 The council's policy in relation to covert activity and the viewing of social networking sites, together with the Home Office Code of Practice on covert surveillance and property interference, ensures such activity is undertaken in a lawful and proportionate manner.
- 3.2 The information provided in this report regarding the viewing of social networking sites falls outside the scope of surveillance and, therefore, does not require authorisation.

4 Financial implications

4.1 There are no financial implications arising from this report.

5 Risk management

5.1 A risk assessment has been completed in accordance with the council's risk management process and has identified no significant (Red or Amber) residual risks that cannot be fully minimised by existing or planned controls or additional procedures.

6 Equalities implications

6.1 There are no equalities implications arising from this report.

7 Consultation and communication

7.1 Information provided in paragraph 2.1 above, has been obtained in consultation with the various teams within the council with an enforcement or regulatory role.

8 HR implications

8.1 There are no HR implications arising from this report.

Conclusion

9 Summary

9.1 The Committee is invited to note the report.

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| Lead officer | Head of Law and Governance |
| Report author | Information Governance Officer Jackie Tatam – Ext 2369 |
| Version | Final |
| Dated | 8 January 2019 |
| Status | Open |
| Confidentiality | It is considered that information contained within this report do not contain exempt information under the meaning of Schedule 12A of the Local Government Act 1972, as amended, and therefore can be made public. |

