

Appendix 2

RIPA Corporate Policy and Public Policy Review Changes

RIPA Corporate Policy

Original Reference	New Reference	Officer	Reason for Change	Previous wording	New wording
Definitions, 'Senior Responsible Officer (SRO)' page 3	Definitions, 'Senior Responsible Officer (SRO)' page 3	Lauren Smith	Job title change	This is the Head of Legal and Democratic Services who is responsible for the integrity of the process in place within the authority for surveillance, compliance with Part II of RIPA and the Codes of Practice, oversight of reporting errors, engagement with the IPCO during and post inspections.	This is the Director of Legal and Democratic Services who is responsible for the integrity of the process in place within the authority for surveillance, compliance with Part II of RIPA and the Codes of Practice, oversight of reporting errors, engagement with the IPCO during and post inspections.
Section F, Procedure for the Use of Social Media	Section F, Procedure for the Use of Social Media	Lauren Smith	Following Officers in Legal and Dem services seeking	'Drive-by' visits to social media profiles: Access	'Drive-by' visits to social media profiles: Access

in Investigations, Levels of Engagement, 1.4, page 31	in Investigations, Levels of Engagement, 1.4, page 31		Counsel advice on the use of social media for investigations, it is understood that 'Drive-by' visits may not require an authorisation.	authorisation needed	authorisation may be needed
Section F, Procedure for the Use of Social Media in Investigations, Levels of Engagement, 1.5, page 31	Section F, Procedure for the Use of Social Media in Investigations, Levels of Engagement, 1.5, page 31	Lauren Smith	See above.	A preliminary examination of the internet to see if someone has an online presence is unlikely to engage their right to privacy. However, if that search reveals a presence on social media sites, then an authorisation (in some form) will always be needed to interrogate those sites.	A preliminary examination of the internet to see if someone has an online presence is unlikely to engage their right to privacy. However, if that search reveals a presence on social media sites, then an authorisation (in some form) may be needed to interrogate those sites.

<p>Section F, Procedure for the Use of Social Media in Investigations 5. Directed Surveillance, 5.1, page 36</p>	<p>Section F, Procedure for the Use of Social Media in Investigations 5. Directed Surveillance, 5.1, page 36</p>	<p>Lauren Smith</p>	<p>See above.</p>	<p>Where an investigation or operation will involve accessing social media sites that may result in obtaining private information about a person (whether or not that is the purpose of accessing the site), then a directed surveillance authorisation, whether RIPA or non-RIPA, will be required.</p>	<p>Where an investigation or operation will involve accessing social media sites that may result in obtaining private information about a person (whether or not that is the purpose of accessing the site), then a directed surveillance authorisation, whether RIPA or non-RIPA, may be required.</p>
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<p>Section F, Procedure for the Use of Social Media in Investigations 5. Directed Surveillance, 5.1, page 36</p>	<p>Section F, Procedure for the Use of Social Media in Investigations 5. Directed Surveillance, 5.1, page 36</p>	<p>Lauren Smith</p>	<p>Additional wording added to require officers to keep a written record of the consultation with Authorising Officers, to ensure good practice.</p>	<p>Non-RIPA directed surveillance may be authorised by Tier 4 Managers or Heads of Service. However, one of the RIPA Authorising Officers (set out at Appendix 1) must always be consulted before that management consent is given.</p>	<p>Non-RIPA directed surveillance may be authorised by Tier 4 Managers or Heads of Service. However, one of the RIPA Authorising Officers (set out at Appendix 1) must always be consulted before that management consent is given. A written record of the consultation should be sent to Legal Services to be stored on the electronic case management system.</p>
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New paragraph	Section F, Procedure for the Use of Social Media in Investigations 3.5 Social Media Authorisation Assessment Form, page 35	Lauren Smith	Additional para to reflect new internal procedure following Counsel advice.	N/A	<p>When Officers are assessing if a RIPA or Non-RIPA authorisation is required in order to capture information on a social media account, the Council's Social Media Authorisation Assessment needs to be completed.</p> <p>The purpose of this document is for Officers to assess the Subject's reasonable expectation of privacy and whether the material available is private and not merely trivial or anodyne information. The form also requires Officers to assess the information against the factors contained within the Home Office Code of Practice.</p>
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					To help assist Officers an example form is available on the Council's Intranet.
Appendix 1, Authorising Officers for the Purposes of Directed Surveillance and CHIS	Appendix 1, Authorising Officers for the Purposes of Directed Surveillance and CHIS	Lauren Smith	Additional Officers added following their approval in Dec 2023	N/A	<ul style="list-style-type: none"> • Gary Carr - Strategic Regulation Manager • Ian Harrison - Business Compliance Manager • Tracey Johnson - Consumer Safety Manager

RIPA Public Policy Document

Original Reference	New Reference	Officer	Reason for Change	Previous wording	New wording
5. Social Media, 5.1, page 13	5. Social Media, 5.1, page 13	Lauren Smith	Following Officers in Legal and Dem services seeking	<ul style="list-style-type: none"> • 'Drive-by' visits to social media profiles: 	<ul style="list-style-type: none"> • 'Drive-by' visits to social media profiles:

Original Reference	New Reference	Officer	Reason for Change	Previous wording	New wording
			Counsel advice on the use of social media for investigations, it is understood that 'Drive-by' visits may not require an authorisation.	Access authorisation will be needed;	Access authorisation may be needed;
6. RIPA Officers, page 14	6. RIPA Officers, page 14	Lauren Smith	Additional Officers added following their approval in Dec 2023.	N/A	Strategic Regulation Manager Business Compliance Manager Consumer Safety Manager