



F. McArdle
Chief Executive

Civic Offices, Civic Way,
Swadlincote, Derbyshire DE11 0AH

www.south-derbys.gov.uk

Please ask for: Debra Townsend
Phone: (01283) 595848
Minicom: (01283) 595849
DX 23912 Swadlincote

Our ref: DT/CL
Your ref:

Date: 3 December 2013

Dear Councillor,

Overview and Scrutiny Committee

A Meeting of the **Overview and Scrutiny Committee** will be held in the **Council Chamber**, on **Wednesday, 11 December 2013 at 18:00**. You are requested to attend.

Yours faithfully,

Chief Executive

To:- **Conservative Group**

Councillor Mrs. Plenderleith (Chairman), Councillor Atkin (Vice-Chairman) and Councillors Mrs. Hood and Mrs. Patten.

Labour Group

Councillors Bambrick, Dunn, Mrs. Mead and Pearson.



AGENDA

Open to Public and Press

- 1 Apologies
- 2 Minutes
- 3 To note any declarations of interest arising from any items on the Agenda
- 4 To receive any questions by members of the public pursuant to Council Procedure Rule No.10.
- 5 To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 6 Environmental Volunteering Project - Update **3 - 26**
- 7 Regulation of Investigatory Powers Act 2000 (RIPA) - Report on Usage **27 - 28**

Exclusion of the Public and Press:

- 8 The Chairman may therefore move:-
That in accordance with Section 100 (A) of the Local Government Act 1972 the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.
- 9 To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
Details

| | | |
|--------------------------------|---|----------------------------|
| REPORT TO: | Overview and Scrutiny Committee | AGENDA ITEM: 6 |
| DATE OF MEETING: | 11th December, 2013 | CATEGORY: |
| REPORT FROM: | Director of Community and Planning Stuart Batchelor | OPEN/ |
| MEMBERS' CONTACT POINT: | Kate Allies 01283 535039 Kate.allies@south-derbys.gov.uk | DOC: |
| SUBJECT: | Environmental Volunteering Project - update | REF: |
| WARD(S) AFFECTED: | Districtwide | TERMS OF REFERENCE: |

1.0 Recommendations

1.1 Support the continued development of the project and provide advice and guidance where appropriate.

2.0 Purpose of Report

2.1 To update members on progress since Sept 2013 verbal report

3.0 Detail

3.1 Since September we have:

- Delivered 2 workshops to parish councils and voluntary environmental groups, explaining how the project will work for them. Positive feedback
- Started to create a list of projects to develop ready for business groups to volunteer to complete. List includes Castle Knob, at Castle Gresley, projects in Findern, projects in National Forest woodlands.
- Made new corporate contacts eg Vodaphone / Ernst and Young – both of these have already tried a volunteering day at Rosliston and feedback was excellent. Also they got a lot of work done!
- South Derbyshire Partnership updated on progress (through Mike Roylance)
- Established a process for charging or not charging and tried it out on Rolls-Royce, Ernst & Young, Vodaphone. Basically if they want a free day they do gardening, if they want something more interesting they pay £80 per group of 12 people for a leader to work with them, and we also provide an extra leader for support. Cost to SDDC including on costs per £80 is £45-£60 depending on how long the group works for.

- Updated the project planning documents in the light of feedback from the voluntary groups and the corporate groups so that it is easier to use but captures the information corporate groups need in order to choose a project.

4.0 Financial Implications

- 4.1 Activity is covered within current budgets for 2013-14 as funding is provided by South Derbyshire Partnership for development work.
- 4.2 For 2013-14 we intend to apply for funding to South Derbyshire Partnership again but this will not be decided until the new financial year. We also intend to introduce a formal charging policy to generate income to develop the project further and make it sustainable.

5.0 Corporate Implications

5.1 Corporate Plan:

- Lifestyle choices – supporting people in the community who choose to volunteer to improve their neighbourhood
- Value for money – providing a service to businesses and the community which is no cost to SDDC (self funding long term and subsidized by grants from partners short to medium term).
- Sustainable Growth and Opportunity – supporting businesses in their work on Business in the Community / Community Investment and providing an outlet for their voluntary contributions in South Derbyshire.

6.0 Community Implications

- 6.1 This work provides valuable volunteering opportunities for and within the local community

7.0 Conclusions

- 7.1 Progress has been made in developing this project since September as requested.

8.0 Background Papers

8.1

PROJECT TEMPLATE FOR ENVIRONMENTAL VOLUNTEERING TASKS

| | |
|---|---|
| <p>TASK Why are you doing it? What are your aims?</p> | |
| <p>One- off or Ongoing? <i>(Will it need more work in future?)</i> Does future sustainability need to be considered?</p> | |
| <p>Location of task <i>(Where is it?)</i> Basic location plus Grid Reference & Post Code Nearest Public Transport? Nearest Hospital?</p> | |
| <p>Volunteer Welfare provision/Targets <i>(What do your volunteers need? How long will it take them)</i> Volunteer car parking Shelter? Space for breaks? Refreshments? Toilets? Volunteers working as 1 large team or smaller groups? Time allowed for tasks?</p> | |
| <p>Health & Safety <i>(Is it safe?)</i> RISK ASSESSMENT Who is providing? Are they qualified? Personal Protective Equipment(PPE) <i>(Things like gloves, eye-protectors etc.)</i> Who is responsible for providing/checking? Disclosure & Barring Service (DBS-Formerly CRB) <i>(Checks adults OK to work with kids)</i> Are checks necessary? Who is responsible?</p> | |
| <p>Conservation Management Plan <i>(Do we need to ask permission?)</i> Are there animals/plants/habitats there that need protecting during/as part of task? Who approves task/sets limits? Do any other bodies official or local (e.g. Electricity board or landowners) need to be consulted or informed?</p> | |
| <p>Skills/Abilities Necessary <i>(Do we know how to do it?)</i> What skills & knowledge do group have? Do volunteers have necessary skills- including leadership skills? Do outside specialist skills need to be organised/bought in?</p> | |
| <p>Costs <i>(Where is the money coming from?)</i> Who is paying? And for what? What materials (if any) need to be bought? What is the total cost to be budgeted? When will it be done by?</p> | |
| <p>Task Co-ordinator <i>(Who is in charge?)</i> Who is responsible for bringing together the different parts of the task and co-ordinating the actions of any partner organisations?</p> | |
| <p>Business Needs- What would make them choose your project? <i>(What can you offer them?)</i> Publicity? Photos? Teamwork experience? Leadership opportunities? Project management experience? Community/schools benefit?</p> | <p style="text-align: center;">Page 5 of 28</p> |

Environmental Volunteering – Notes for using the PROJECT TEMPLATE to attract a team of volunteers to work on your project!



This sheet, and the project template that goes with it, is a guide to things you will have to consider before approaching businesses and other organisations for help with your practical environmental projects.

These are the kind of questions they will expect you to have the answers to. It may look complicated or detailed in places but will save time in the long term if you can work out answers to each question.

Help is available from other groups within the Environmental Forum including the Environmental Education Project at Rosliston, South Derbyshire District Council, and many others. If you need information and guidance just ask!

About your Project:

Is it a long term project?

Is your project a one-off or will it need more work in future? Do you need to think about who will maintain things and carry out ongoing work?

Where is it?

Where exactly is the job you want doing and is it easy to get to? Is there a postcode or do you need a map reference? People will need to get there -Is there a bus or train? Is there safe car parking for volunteers/contractors? Do you need to lay on transport? In case of accident you will need to detail where the nearest hospital is.

Looking after Volunteers

What do your volunteers need? Is there somewhere for them to take shelter and have breaks? Are you providing refreshments? Are there any toilets they can use? How long are they going to be working? How long do you think the task will take them? What do volunteers need to know in advance? (What Clothing? Bring Drinks? Do they need Health and Safety information? Etc.)

Health and Safety

Have you thought about all the possible risks to staff and volunteers and what you can do to reduce them? – you will need to have a Risk Assessment done so this is all listed – HSE website can be useful - are you qualified to do this? If not you will need help from someone who is, who is going to write it? (a Risk Assessment is a form listing possible dangers and what you can do to minimise them).

Do your volunteers need protective equipment (for example gloves, face masks, toe protecting boots, or even sun cream) who will provide this and make sure it is available on the day? (This is often called Personal Protective Equipment or PPE).

Are children (under 16) or vulnerable adults going to be helping? If so you need to consider police/ child protection clearance and must issue **and apply**

guidance to your participants and helpers. Ask advice if you are not familiar with **and** trained in these procedures. You may need to apply for Disclosure & Barring Service clearance, but not necessarily, so please ask for advice. There is a local panel of advisors in each area.

Who do we need to ask?

Do you need to ask other peoples permission to carry out your task? Do you need to ask the landowner? Do you need planning permission? Do you need permission for things like cutting down trees? Will you need to ask someone about conservation issues (for example is your work likely to affect protected animals or plants?) – issues may not be obvious –a scruffy looking area may be environmentally important! There may be other people who may need to be asked or just informed what you are doing – for example are you working near electricity cables? (In which case you may need to inform the electricity company). Who will be responsible for checking all this?

What skills and knowledge do we need?

Some projects will need specialist skills (for example tree felling, welding, bricklaying) do any of your volunteers have these skills? Are there volunteers who have knowledge of useful subjects e.g. finances, legal issues etc. If not do you need to find volunteers from elsewhere or pay someone to help? Your project will need a strong leader to take charge and organise the volunteers when they are working, have you got someone with suitable skills?

Paying for it

How are you going to pay any expenses? What materials or tools (if any) will you need to buy (or hire) and what will they cost? Where will the money come from? What money do you have and have you allowed for everything? What if tools get broken?

Co-ordinator

Someone will have to be in overall charge of bringing together all the different parts of the project and making sure that everyone does their bit at the right time. Who is going to do this?

What can you offer businesses?

Why are businesses going to choose **YOUR** project? Can you offer publicity? Photos? Can you offer opportunities for their staff to gain experience of teamwork in the field? Project leadership opportunities? Perhaps you could link into community involvement schemes -helping local schools or preserving endangered wildlife?- Something that will provide a 'feelgood factor'?

AND REMEMBER - HELP IS AVAILABLE!

Email: rosliston@south-derbys.gov.uk or ring 01283 535039 and ask for Kate, Alan or Lawrence

South Derbyshire Environmental Forum

Environmental Volunteering Project: Terms of reference and project development June 2013 (using SDDC Scrutiny committee template)

Name of Review/Project:

Environmental Volunteering (linked to South Derbyshire Environmental Forum and South Derbyshire Partnership Sustainable Development group)

Terms of reference:

To strengthen links between business and the local community, with the council acting as the initial interface / facilitator

To enable practical environmental improvements in towns and villages by identifying ways of linking business volunteers with local voluntary environmental groups

To identify the potential for businesses to provide environmental volunteers and what the business needs would be for the project to be a success

To work with voluntary community groups to highlight their desired environmental improvements (eg 'stiles to gates'; create wildflower meadow) and make these into projects that are suitable for corporate volunteer teams

To identify barriers to this process and potential solutions and trial the process

To identify training needs within the voluntary environmental village groups to enable them to lead on attracting volunteer corporate teams to their projects in future

To link with training programmes for individuals to provide opportunities for them to develop confidence and practice their new skills.

To review business opportunities for this project to form part of an apprenticeship scheme or other work opportunity by accessing external funding

Please provide details of relevant Corporate Plan Themes and Priorities:

Sustainable growth and opportunity

Lifestyle choices

Value for Money

Key Issues and Aim(s) of the Review

Issues

Managing expectations of the voluntary groups

Identifying the barriers e.g. risk assessment, paperwork and training needs within the voluntary groups and providing solutions in a timely manner

Attracting businesses to the scheme and managing their expectations

Aims

To improve biodiversity and the visual attractiveness of South Derbyshire
To enable more environmental volunteering to take place in South Derbyshire
To provide support and training to voluntary community environmental groups and individuals
To support businesses in their Community Investment and 'Business in the Community' (BiTC) work
To plan long term outputs to be SDDC cost-neutral (include inputs from partners and external funders)
To provide a project template which can be shared with neighbouring authorities and partner organisations

Why should the review take place now?

Voluntary groups have identified this as a priority through consultation as part of the South Derbyshire Environmental Forum group.
In the last 4 months, 4 local businesses who are major employers have approached the Environmental Education Project team with offers of environmental and community volunteering, including some multiple opportunities
This would be a positive example of using resources offered by the South Derbyshire Partnership to benefit a range of organisations by putting them in touch with one another and providing some basic training and support.
Derbyshire County Council are also reviewing their work with volunteer groups with reference to improving public space owned by the County and Public Rights of Way. It is a good opportunity for joint working and sharing resources.

Potential outcome/s

- New environmental projects would be made possible across the District
- Potentially the voluntary groups could attract new members to help them with long term sustainability of their group and their projects
- Individuals who wish to start volunteering can be supported and signposted to suitable projects.
- Pool of resources and expertise which can be shared with other councils and community groups; could be an example of good practice / innovation
- Opportunity for volunteering on SDDC-owned land and potential to contribute to SDDC environmental projects
- Cross-over links with Heritage Lottery Projects in the Heart of the Forest and Eureka Park
- May attract external funding
- May be opportunity for apprenticeship or other workplace opportunities

What will not be included: N/A

Risks:

Cost of materials needs to be factored in so it is clear who is responsible
Need to be clear about insurance responsibilities
Risk that groups might need more sustained support than can be provided
Economic changes could reverse the business sector support

Members undertaking the Review (if a sub-group is to be used):
Members of the Overview and Scrutiny Committee

Possible co-options:
None requested

Which policy committee(s) does it relate to?
Housing and Community Services

Key stakeholders/ consultees:
South Derbyshire Environmental Forum
South Derbyshire Partnership (Sustainable Development Group)
Individual business: Bison, Toyota, Rolls-Royce and potentially Nestle (initial enquiry)
South Derbyshire Council for Voluntary Services (SDCVS) - volunteering and training
South Derbyshire Voluntary Sector Forum and Strategic Volunteering Partnership (SDCVS)
Derbyshire Biodiversity Project Officer Nick Moyes (hosted by Derbyshire County Council)
Derbyshire County Council (Countryside Service) Volunteers Project Officer Steve Cresswell
South Derbyshire District Council – Ian Hey
Parish Councils
Other volunteer programmes eg University of Derby (Peter Walker/Jason Nichols – Community Relations); Community Payback teams.

Potential contributors and research required:
Discuss possibilities with grounds maintenance team, Housing services and within the Community and Planning teams.
Similar Programmes in other areas
Other landowners (particularly with public access sites eg Forestry Commission)

Potential visits: to Rosliston Forestry Centre Environmental Education Project team - which has benefitted from long term volunteering by teams from Rolls-Royce plc and is about to begin a regular volunteer programme with Bison.

Are there any Budgetary Implications?
None at this point of time

Officer support required:
Kate Allies / Alan Bates / Lawrence Oates
Malcolm Roseburgh
Zoe Sewter

Period for Review:

Start date: June 18th 2013

Approximate meeting dates: June 18th, July 18th, 24th Sept 2013, 5th Nov 2013, 4th March 2014 (to co-incide with Climate week action)
Trail activities from March 2014
Proposed completion date: Oct/Nov 2014 –
Review the process developed June 2013- March 2014 and the pilot activities and training provided
Review volunteering activities that have taken place from March to Sept 2014 with the volunteer community groups and business working together.

Report date(s) to committees:
Sept 2013 – verbal update to Scrutiny Committee
Dec 2013 – written report for Scrutiny Committee

Publicity (e.g. of recommendations)

Date Scoping Document Completed: 11th June 2013 amended 21/6/2013; updated with committee report dates Sept 4th 2013

Prioritising Topics For Scrutiny

Corporate Plan themes and priorities

The Peer Review included a recommendation to assess potential scrutiny review areas against the corporate priorities. Further information on these priorities is available in the Corporate Plan, which can be accessed via the following link:

http://harvey/corporate/organisationaldevelopment/policy/corporate_plan/corpplan0914

The Corporate Plan themes and priorities are:

- Sustainable Growth and Opportunity - Theme 1
- Safe and Secure - Theme 2
- Lifestyle Choices - Theme 3
- Value for Money - Theme 4

Scrutiny Committee verbal update Sept 2013:

- Kate Allies (KA) presented to South Derbyshire Sustainable Development Group July 2013. Some leads to follow up over the winter.
- Alan Bates (AB) presented to Housing Dept Team Meetings x 2 Aug 2013. Some leads to follow up over the winter eg at Midway.
- KA/ AB presented to the Environmental Forum group in June/ July.
- Terms of reference updated following these meetings and consultation with potential volunteer co-ordinators (University of Derby, Burton Conservation Volunteers and South Derbyshire Council for Voluntary Services (SDCVS). Updated terms to form part of scrutiny report in December, but are available now for review if required. Only minor changes.
- Project template for groups needing help with their tasks developed, tested in July 2013 with the Forum group and volunteer co-ordinators, revised and sent out to the group for final edits.
- Potential business volunteers asked to review the template to see how well it would work for them as a means of quickly and easily identifying tasks – initially this has gone to Bison UK, Toyota UK, Nestle and Rolls-Royce plc. Have asked R-R to work it through with one of their project groups.
- Rolls-Royce considering the Egginton Gateway project as a potential link with their Graduate and Apprenticeship training programme ie as a year-long project (project made the short-list; decision expected by Dec 2013)
- Wider Environmental Forum group invited to submit project ideas for volunteer groups, with a view to piloting the one-day tasks to co-incide with climate week.
- Potential being explored to link with other departments' projects at SDDC (Community & Planning/ Housing)
- Appointed casual staff member, Lawrence Oates to the Environmental Education Project team to work with KA and AB on practical side of taking project further eg supporting groups to fill in the template and do their risk assessments. Lawrence has many years experience in his former post with East Staffs Borough Council. He also leads Burton Conservation Volunteers (he has signed Register of Interests).
- Richard Shouls, Northgate, attended a Forum Meeting to help identify the H&S 'support' needs and provided a day's training/ refresher in Risk Assessment in July 2013 for the Environmental Education Project team who are leading on this project for SDDC (includes KA, AB & Lawrence Oates)
- Need to work with Northgate (Julia Dowding) to set up process for project requests, updating, booking and evaluating; also archiving completed projects
- Plans for the winter – pilot the project with a couple of business or other volunteer groups; manage expectations from both sides and keep the project low key until all parts are in place eg web interface for project booking
- Prepare to launch the project in March/ April to match up with the preferred season for business volunteering (May-Sept)

Kate Allies, Environmental Development Manager SDDC, Some leads to follow up over the winter. Sept 4th 2013



Environmental Volunteering



Local people helping their
local community...



Environmental Volunteering

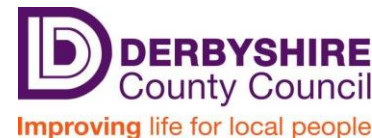
A new project which aims to Link groups and villages that need help with practical conservation and outdoor tasks

...with...

businesses and volunteers who want to do environmental volunteering

...and...

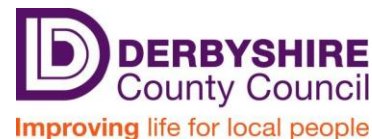
people who can lead the tasks professionally and safely





Environmental Volunteering

- Environmental Forum
- Environmental Education Project
- Projects which need support
- Business links / business benefits
- Barriers and solutions - discussion
- Pilot project



Environmental Forum

- A network of local voluntary environmental groups and individuals/ organisations with an interest in the environment
- Environmental Forum was formed in 2009
- It is part of the South Derbyshire Partnership
- www.south-derbys.gov.uk/environmentalforum
- Ongoing consultation with members is used to develop each year's programme

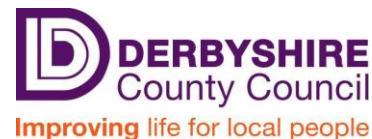
Environmental Forum

- Meetings / activities are free and open to all
- Groups from neighbouring Districts are welcome
- Programme usually a mix of training and networking
- 2011-12 consultation revealed need for actual *help* as well



Environmental Education Project

- Environmental Education Project (EEP) – existing work with local businesses to support our work with schools.
- Links with voluntary environmental groups as we promote their work to the public
- Trained in work with groups, health and safety etc for schools and public events. Skills are transferrable to the voluntary sector.





Environmental Forum network

Members include:

Findern Footpaths Group

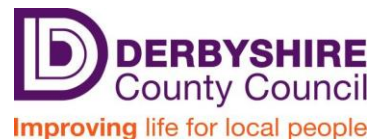
Dove Valley Conservation Vols

Forestry Commission; the National Forest Co
S Derbys Group of the Derbyshire Wildlife Trust

The National Trust

Parish Councils

We have links with groups in neighbouring
Districts





Examples of projects which need support:

Footpaths work – repairing paths and stiles,
creating gateways

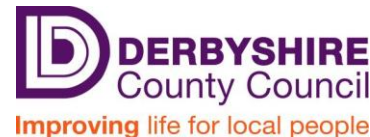
Garden/ flowerbed makeovers for parishes /
shops

Clearing vegetation like Himalayan Balsam

Creating structures like bird hides

Planting trees, sowing wildflower seed

Help in school grounds



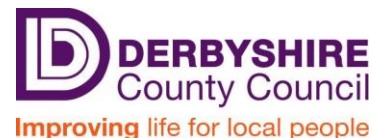


Business / organisation links:

Toyota UK, Rolls-Royce, Bison and Nestle
Interested in hearing more about the project as they already do some local volunteering.

University of Derby, Burton Conservation Volunteers, South Derbyshire Council for Voluntary Services (CVS)

Looking for meaningful volunteering opportunities



Business benefits

- Contribute to local community projects
- Teambuilding opportunities
- Range of tasks
- Learn new skills
- Low or No Cost

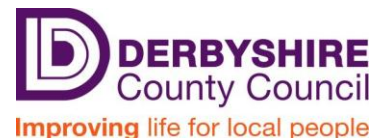


Barriers and solutions?

- Health and safety – someone trained to facilitate?
- Tools and Personal Protective Equipment (use, repair and replace) – do we need a pool of tools?
- Keeping the booking process quick and simple – template? Pilot project?
- Access issues, transport, mobility – sort on a site by site basis
- Leading the activities eg relevant skills / training – need a facilitator from one of the partners eg DCC, EEP/ SDDC

Pilot project – July 2013 to March 2014

- Creating a project planning template for groups/ businesses
- Try out tasks at Findern, Egginton and for the Forestry Commission
- Use experience of the DCC Ranger Service and SDDC Environmental Education Project
- Deliver tasks to celebrate Climate Week 2014
- Use funding from South Derbyshire Partnership committed already for Climate Week & the Environmental Forum



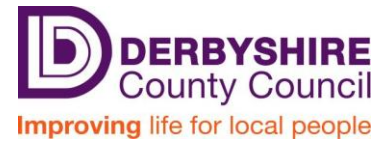


Any Questions or Suggestions?





South Derbyshire Environmental Forum



| | | |
|--------------------------------|---|----------------------------|
| REPORT TO: | Overview and Scrutiny Committee | AGENDA ITEM: 7 |
| DATE OF MEETING: | 11th December 2013 | CATEGORY: DELEGATED |
| REPORT FROM: | Chief Executive | OPEN |
| MEMBERS' CONTACT POINT: | Ardip Kaur – 595715 ardip.kaur@south-derbys.gov.uk | DOC: |
| SUBJECT: | Regulation of Investigatory Powers Act 2000 (RIPA) – Report on Usage | REF: |
| WARD(S) AFFECTED: | All | TERMS OF REFERENCE: |

1.0 Recommendations

- 1.1 To consider the internal report on the Council's use of the Regulation of Investigatory Powers Act 2000 in the last quarter.

2.0 Purpose of Report

- 2.1 To receive a report on the Council's use of the Regulation of Investigatory Powers Act 2000 ("RIPA") since August 2013.

3.0 Detail

- 3.1 Sections 37 and 38 of the Protection of Freedoms Act 2012 came into force in November 2012. In line with this legislation, if the Council wishes to authorise the use of directed surveillance, the acquisition of communications data and use a covert human intelligence source (CHIS) under RIPA, it will need to obtain an Order approving the grant or renewal of an authorisation or Notice from a District Judge or lay Magistrate (JP) before it can take effect.
- 3.2 Further change by way of amendment to the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010 also came into effect on 1st November 2012. The amendments relate to the directed surveillance crime threshold.
- 3.3 Full Council on 24th January 2013 approved the Council's amended RIPA Policy and Guidance document. The Overview and Scrutiny Committee is authorised to review the Council's use of RIPA, set the Council's general surveillance policy, and consider quarterly reports on the use of RIPA to ensure that it is being used as per the Council's policy.
- 3.3 RIPA is intended to regulate the use of investigatory powers and ensure they are used in accordance with human rights. This is achieved by requiring certain investigations involving covert surveillance to be authorised by an appropriate Authorising Officer and then a JP before they are carried out.

- 3.4 Directed surveillance is often conducted by local authorities to investigate benefit fraud or to collect evidence of anti-social behaviour. It may involve covertly following people, covertly taking photographs of them or using hidden cameras to record their movements.
- 3.5 RIPA stipulates that the person (Authorising Officer) granting an authorisation for directed surveillance must believe that the activities to be authorised are necessary on one or more statutory grounds. A member of the Corporate Management Team considers all applications for authorisation. The Authorising Officer must ensure that there is satisfactory reason for carrying out the surveillance, the covert nature of the investigation is necessary, proper consideration has been given to collateral intrusion, and the proposed length and extent of the surveillance is proportionate to the information being sought. This involves balancing the seriousness of the intrusion into the privacy of the subject of the operation against the need for the activity in investigative and operational terms. Following legislative changes, in addition to the aforementioned, the Council is required to obtain judicial approval prior to using covert techniques and the Councils use of directed surveillance under RIPA will be limited to the investigation of crimes which attract a six month or more custodial sentence.
- 3.6 The usage of RIPA during the period August 2013 to October 2013 has been nil. No authorisations have been requested or granted.

4.0 Financial Implications

- 4.1 None arising directly from this report.

5.0 Corporate Implications

- 5.1 The Council must act in accordance with recent legislative changes regarding the authorisation process and the surveillance crime threshold.

6.0 Community Implications

- 6.1 Covert surveillance is carried out in a manner calculated to ensure that the person subject to the surveillance is unaware of it taking place. The Council carries out directed surveillance which is covert, not intrusive, is not carried out in an immediate response to events, and is undertaken for the purpose of a specific investigation or operation in a manner likely to obtain private information about an individual.
- 6.2 Section 8 of the application form asks the applicant to supply details of any potential collateral intrusion and to detail why the intrusion is unavoidable. The idea behind collateral intrusion is to identify who else, apart from the subject of the surveillance, can be affected by the nature of the surveillance. Any application for authorisation should include an assessment of the risk of the collateral intrusion and this should be taken into account by the Authorising Officer when considering proportionality. The Authorising Officer needs to know by those carrying out the surveillance if the investigation or operation would unexpectedly interfere with the privacy of individuals not covered by the authorisation. An Authorising Officer must be made aware of any particular sensitivities in the local community.

7.0 Background Papers

None