

**DEPUTY LEADER AND CABINET MEMBER FOR CORPORATE SERVICES, HERITAGE, ARTS, TOURISM, HOUSING AND MCI - CLLR RICHARD CLEWER**

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**REFERENCE: DL-3-19**

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**REPORT ON PROPOSED ADOPTION OF GUIDANCE ON THE  
REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) AND  
THE USE OF SOCIAL NETWORKING SITES/SOCIAL MEDIA AND  
PROTOCOL FOR COVERT INTERNET PROFILE USE - PRINCIPLES  
(WITH ANNEX)**

### **Purpose of Report**

On the 17 January 2012 the council, as a body that may undertake surveillance activities under the Regulation of Investigatory Powers Act 2000 (RIPA), adopted the following policies:

- Wiltshire Council Corporate Policy and Procedures Document on Directed Surveillance (The Regulation of Investigatory Powers Act 2000 (RIPA))
- Wiltshire Council Corporate Policy and Procedures Document on Covert Human Intelligence Sources (The Regulation of Investigatory Powers Act 2000 (RIPA))

In April 2019, a routine periodical inspection was carried out by the Investigatory Powers Commissioners Office (IPCO). The inspection was conducted to assess the levels of compliance of Wiltshire Council with the Regulation of Investigatory Powers Act 2000 in respect of its use and management of covert surveillance and covert human intelligence sources (CHIS). The council was found to be in a strong and compliant position, with existing policies (detailed above) found to be comprehensive and appropriate. However, one area which was found to be an exception to this (and which had already been addressed and identified by legal) was investigative use of the internet and social media. The Inspector therefore recommended that the council should:

*“ .. ensure that a suitable and relevant policy is in place to guide staff regarding the investigative use of the internet and social media. This should include a method by which the use of covert profiles can be recorded, monitored and audited.*

The proposed guidance and protocol (with annex) address that recommendation and provide the necessary policy clarification for the use of the internet and social media in the context of RIPA. The purpose of this report is to introduce the guidance, protocol and annex and seek their adoption and approval by cabinet member delegated decision.

The responsible member has power to decide the matter following a cabinet decision to delegate oversight of the policies. This decision was recorded at minute 8 of the cabinet meeting held on 17 January 2012.

**Consultation**

N/A

**Options Considered**

N/A

**Reason for Decision**

Adoption of the new guidance, protocol and annex are necessary to provide guidance for the investigative use of the internet and social media and to comply with the recommendation of the IPCO inspection.

**DECISION MADE**

I approve the adoption of the new guidance, protocol and annex for investigative use of the internet and social media and to comply with the recommendation of the IPCO inspection.

This decision was made on 10 September 2019 and will come into force on 18 September 2019.

**The following supporting documents are attached:**

- Draft Guidance on the Regulation of Investigatory Powers Act 2000 (RIPA) and the use of Social Networking Sites/Social Media
- Protocol for Covert Internet Profile Use – Principles (with annex)

**The following supporting documents are available from the officer named above:**

- Minutes of the cabinet meeting of 17 January 2012
- Inspection Report of IPCO dated 12 April 2019
- Regulation of Investigatory Powers Act 2000

Date: .....10 September 2019.....

.....signed.....

Cllr Richard Clewer  
Deputy Leader and Cabinet Member for Corporate Services, Heritage, Arts, Tourism, Housing and MCI