

**DEPUTY LEADER AND CABINET MEMBER FOR CORPORATE SERVICES,
HERITAGE, ARTS, TOURISM, HOUSING AND COMMUNITIES**
Cllr Richard Clewer

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REFERENCE: DL-01-20

REPORT ON PROPOSED AMENDMENTS TO WILTSHIRE COUNCIL'S CORPORATE POLICY AND PROCEDURES DOCUMENT ON ACCESSING COMMUNICATIONS DATA

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:

1. Wiltshire Council Corporate Policy and Procedures Document on Directed Surveillance (The Regulation of Investigatory Powers Act 2000 (RIPA))
2. Wiltshire Council Corporate Policy and Procedures Document on Covert Human Intelligence Sources (The Regulation of Investigatory Powers Act 2000 (RIPA))
3. Wiltshire Council Corporate Policy and Procedures Document on Accessing Communications Data (The Regulation of Investigatory Powers Act 2000 (RIPA))

The policies at 1 & 2 above were updated in 2019/20 to reflect various changes necessary as a result of updated Codes of Practice, and Office of Surveillance Commissioners procedures and published guidance.

The purpose of this report is to introduce the new Communications Data policy which will replace the Accessing Communications Data policy found at 3 above.

It will also inform the responsible member of issues relevant to the use of powers under the Regulation of Investigatory Powers Act 2000 (RIPA) and the Investigatory Powers Act 2016 (IPA) and seek adoption and approval of the new policy 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

Not applicable

Options Considered

Not applicable.

Reason for Decision

Adoption of the updated policy is necessary to incorporate and comply with the legislative changes introduced by the Investigatory Powers Act 2016

<p><u>DECISION MADE</u></p> <p>I approve the decision set out in the above report.</p> <p>This decision was published on 6 July 2020 and will come into effect on 14 July 2020.</p>
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The following supporting documents are attached:

- Draft of Wiltshire Council’s Corporate Policy and Procedures Document on Accessing Communications Data

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

- Minutes of the cabinet meeting of 17 January 2012
- Investigatory Powers Act 2016

Regulation of Investigatory Powers Act 2000:

.....signed.....

Cllr Richard Clewer
Deputy Leader and Cabinet Member for Corporate Services, Heritage, Arts, Tourism, Housing, Climate Change and Military-Civilian Integration

Date:.....6 July 2020.....