

Audit and Procurement Committee
Cabinet Member for Community Safety and Cohesion

21 September 2026
15 October 2026

Name of Cabinet Member:

Cabinet Member for Community Safety and Cohesion - Councillor J McNicholas

Director Approving Submission of the report:

Director of Law, Governance and Safer Communities

Ward(s) affected:

None

Title:

Annual Compliance Report 2025 – Regulation of Investigatory Powers Act 2000 (RIPA)

Is this a key decision?

No

Executive Summary:

The Regulation of Investigatory Powers Act 2000 (RIPA) enables the Council, in support of its core functions, to use: (a) covert surveillance; (b) covert human intelligence sources (CHIS); and (c) the acquisition of communications data (including service use and subscriber information), in a manner compatible with Article 8 of the European Convention on Human Rights.

The Council shall use powers under RIPA only to support its core functions for the prevention and detection of crime, where (i) the offence is punishable by a custodial sentence of 6 months or more; or (ii) the offence relates to the underage sale of alcohol or tobacco.

The Act sets out the procedures that the Council must follow if it wishes to use directed surveillance techniques or acquire communications data in order to support core function activities (e.g. typically those undertaken by Business Compliance and Environmental Health). The information obtained as a result of such operations, can later be relied upon in court proceedings providing RIPA is complied with.

The Home Office Code for Covert Surveillance and Property Interference recommends that Elected Members, whilst not involved in making decisions or specific authorisations for the local authority to use its powers under Part II of the Act, should review the Council's use of the legislation and provide approval to its policies. The Council adopted this approach for oversight of the authority's use of Parts I and II of the Act.

Recommendations:

The Audit and Procurement Committee is requested to:

- 1) Consider and note the Council's use and compliance with RIPA.
- 2) Forward any comments and/or recommendations to the Cabinet Member for Community Safety and Cohesion.

The Cabinet Member for Community Safety and Cohesion is requested to:

- 1) Consider any comments or recommendations provided by the Audit and Procurement Committee.
- 2) Approve the report as a formal record of the Council's use of, and compliance with RIPA for period covering 1 January 2025 to 31 December 2025.

List of Appendices included:

None

Other useful background papers:

None

Other useful background information:

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

Yes – Cabinet Member for Community Safety and Cohesion on 15 October 2026

Will this report go to Council?

No

Report title: Annual Compliance Report 2025 – Regulatory & Investigatory Powers Act 2000 (RIPA)

1. Context (or background)

- 1.1 RIPA governs the acquisition and disclosure of communications data and the use of covert surveillance by local authorities. The Council can only use powers under RIPA to support its core functions for the purpose of prevention and detection of crime.
- 1.2 There are different thresholds that need to be met before any surveillance can be undertaken. In the case of Directed Surveillance or the use of Covert Human Intelligence Sources (CHIS) an offence has to be punishable by a custodial sentence of 6 months or more or the offence is related to the underage sale of alcohol and/or tobacco. In the case of Communications Data an offence has to be punishable by a custodial sentence of 12 months or more (e.g. offences relating to counterfeit goods which carry a maximum penalty of 10 years in prison).
- 1.3 Where the above criteria are met, local authorities can make an application for the acquisition and disclosure of communications data (such as telephone billing information or subscriber details) or directed surveillance (covert surveillance of individuals in public places); and the use of a CHIS (such as the deployment of undercover officers).
- 1.4 RIPA and Codes of Practice set out the procedures that local authorities must follow when undertaking surveillance. These include approval by Authorised Council Officers for Directed Surveillance / CHIS applications to show that the proposed use of the powers is “necessary and proportionate”.
- 1.5 The Council is required to have a Senior Responsible Officer to maintain oversight of the RIPA arrangements, procedures and operations. The Council’s Monitoring Officer performs this function and is responsible for the integrity of the Council’s process for managing the requirements under RIPA.
- 1.6 Since 1 September 2017, the [Investigatory Powers Commissioner's Office](#) (IPCO) has been responsible for the judicial oversight of the use of covert surveillance by public authorities throughout the United Kingdom.
- 1.7 2019 saw the implementation of Part 3 of the Investigatory Powers Act 2016 (IPA). Part 3 of the Investigatory Powers Act 2016 has significantly changed the acquisition of communications data. The Office for Communications Data Authorisation (OCDA) now independently authorises all applications for communications data, removing the requirement for local authorities to seek judicial approval for communications data. The legislation has also broadened the range of communications data available, including access to location data.
- 1.8 The acquisition of communications data is undertaken through the National Antifraud Network (NAFN). NAFN acts as the Single Point of Contact for many local authorities and ensures applications are RIPA/IPA compliant. NAFN is audited by the commissioners.

1.9 Details of the applications that the Council has made are set out below:

1.9.1 Use of Directed Surveillance or Covert Human Intelligence Sources

For the Period 1 January 2025 – 31 December 2025

The number of applications made for a Directed Surveillance authorization	0
The number of Directed Surveillance authorisations successfully granted	0
The number of Directed Surveillance authorisations that were cancelled	0
The number of Directed Surveillance authorisations extant at the end of the year	0

- There were no reported instances of the Council having misused its powers under the Act.

1.9.2 Use of Acquisition & Disclosure of Communications Data

No applications for the disclosure of communications data were made during the period 1 January 2025 – 31 December 2025.

1.10 Statistical Data and Inspections

The IPCO require annual statistical data each year. The most recent Annual Report referenced at the time of drafting was published on 16 December 2024 on the IPCO website at the following link: [Annual Report 2024 - IPCO](#).

The 2024 IPCO Annual Report paints a largely positive picture for local authorities. Unlike some areas of policing, prisons and national agencies where IPCO identified operational concerns, local authorities demonstrated good compliance, low error rates and proportionate use of investigatory powers. The principal challenge identified is maintaining capability, training and governance in organisations that use these powers relatively infrequently.

The IPCO wrote to the Council (as part of its inspection oversight responsibilities) on 28 May 2026 requesting a written update on the Council's compliance with the legislation. Officers actioned this request and provided the necessary supporting information which resulted in the IPCO confirming on 3 July 2026 that the Council's response provided assurance that ongoing compliance with RIPA 2000 and the Investigatory Powers Act 2016 will be maintained. It also stated that we ensure that key compliance issues continue to receive the necessary internal governance and oversight.

The Council will be due its next inspection in 2029.

1.11 RIPA Training

It is recommended good practice to provide RIPA periodic training to all relevant Officers. Officers are currently reviewing and refreshing the Council policies (including procedural guidance) and further training would be provided to Officers following the completion of this workstream.

2 Options considered and recommended proposal

2.1 The recommended proposal is that:

- Audit and Procurement Committee consider and note the Annual Compliance Report, which sets out how the Council has used its powers during the reporting periods of the individual Commissioners. In addition, the Committee is recommended to forward any comments or recommendations to the Cabinet Member for Community Safety and Cohesion; and
- The Cabinet Member for Community Safety and Cohesion is recommended to consider any comments and/or recommendations from the Audit and Procurement Committee and approve the report as a formal record of the Council's use and compliance with RIPA.

2.2 The only other option is to "Do Nothing" which is not recommended as this would result in inadequate oversight and scrutiny by Elected Members on how the Council has used its powers during the reporting periods set out in this report

3 Results of consultation undertaken

3.1 Not applicable

4. Timetable for implementing this decision

4.1 The report will be a formal record of the Council's use of RIPA in 2025 when approved by the Cabinet Member for Policing and Equalities.

5. Comments from the Director of Finance and Resources and the Director of Law, Governance and Safer Communities

5.1 Financial implications

The Council has budget provision to cover the cost of the training, which will be delivered by an external trainer who specialises in RIPA legislation. There are no other direct financial implications arising from this report.

5.2 Legal implications

There are no legal implications arising directly from this report.

The powers of local authorities have remained largely unchanged following the introduction of the Investigatory Powers Act 2016. Officers will continue to monitor the

operation of RIPA and ensure that any amendments are incorporated into the Council's policy and procedures as appropriate.

Member consideration and endorsement ensure appropriate scrutiny is in place. Considering RIPA activity as recommended by OSC guidance ensures such activity is subject to appropriate scrutiny and authorisations.

6. Other implications

The requirement to obtain judicial approval (for Directed Surveillance and CHIS) and OCDA approval (for Communications Data) has introduced an additional step. Given the Council's low use of RIPA powers, this has not resulted in significant delays. Routine patrols, ad hoc observations at trouble hot spots, immediate responses to events and overt use of CCTV do not require RIPA authorisation.

6.1 How will this contribute to the achievement of the One Coventry Plan? (<https://www.coventry.gov.uk/strategies-plans-policies/one-coventry-plan>)

As and when judicial / OCDA approval is sought to use these powers, it will help support the Council's core aims by preventing and detecting crime associated with enforcement activities such as: investigations relating to counterfeiting and fraudulent trading activity, or underage sales of alcohol or tobacco.

6.2 How is risk being managed?

The requirement for the Council to seek judicial / OCDA approval for any proposed use of its powers under the Regulation of Investigatory Powers Act 2000, as amended by the Protection of Freedoms Act 2012 and IPA, reduces the risk of the Council using such powers inappropriately or unlawfully. The RIPA (Directed Surveillance and CHIS) (Amendment) Order 2012 also restricted local authorities' ability to authorise directed surveillance under RIPA. This will help ensure any evidence gained from such use will be admissible in a court of law.

6.3 What is the impact on the organisation?

There is no additional impact on the Council.

6.4 Equalities/EIA

When submitting a request for authorisation to use RIPA, consideration is given to any impact on equalities.

6.5 Implications for (or impact on) climate change and environment?

There are no implications on the environment.

6.6 Implications for partner organisations?

There are no implications on partner organisations.

Report author:**Name and job title:**

Oluremi Aremu

Head of Legal and Procurement Services

Directorate:

Law, Governance and Safer Communities

Telephone and email contact:

Tel: 024 76972 070

Email: Oluremi.aremu@coventry.gov.uk

Enquiries should be directed to the above

Contributor/ approver name	Title	Directorate	Date doc sent out	Date approved or response received
Contributors:				
Debbie Cahalin-Heath	Strategic Manager	Law, Governance and Safer Communities	08/09/2026	09/09/2026
Sue Gilbert	Information Governance Officer	Law, Governance and Safer Communities	08/09/2026	09/09/2026
Michelle Salmon	Governance Services Officer	Law, Governance and Safer Communities	08/09/2026	09/09/2026
Names of approvers for submission: (officers and members)				
Davina Blackburn	Strategic Lead - Regulation and Communities	Law, Governance and Safer Communities	08/09/2026	09/09/2026
Richard Shirley	Lead Accountant (Financial Management)	Finance and Resources	08/09/2026	11/09/2026
Julie Newman	Director of Law and Governance (Monitoring Officer)	-	08/09/2026	11/09/2026
Councillor J McNicholas	Cabinet Member for Community Safety and Cohesion	-	10/09/2026	11/09/2026

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