

Bristol City Council
Minutes of the Values and Ethics Sub-Committee

28 September 2020 at 1.00 pm



Members Present:-

Councillors: Adebola Adebayo, Tim Kent, Liz Radford and Clive Stevens

Officers in Attendance:-

Tim O’Gara, Sarah Sharland, Oliver Harrison

1. Welcome, Introductions and Apologies for Absence.

The Chair welcomed everyone to the meeting.

Apologies were received from Cllr Mark Brain.

2. Declarations of Interest

Cllr Clive Stevens declared an interest as he has recently published a book on Local Government, however he does not believe this will require his withdrawal from any item on today’s agenda.

3. Minutes of previous meeting.

4. Regulation of Investigatory Powers Act 2000 (RIPA)

The Chair confirmed that he and the Head of Legal had determined that RIPA should be considered at this sub-committee before handing it over to full Audit Committee.

Tim O’Gara introduced the report and highlighted the following points:

- The Terms of Reference for the Value & Ethics committee will need refreshing. However, this sub-committee is currently responsible for RIPA.
- BCC has had a policy on RIPA for 20 years. There was an inspection at the start of this year. The one before that was held in 2016.
- Remember that the inspection recommendations are an exempt document, as are the details of individual cases.



Discussion Notes:

- It was confirmed that RIPA is about directed surveillance while undertaking an investigation.
- There was a discussion about how this relates to social media. It is not necessary to engage RIPA for any social media that is on a publicly accessible page. Accessing private pages requires covert human intelligence, which could be done under RIPA. It is not something BCC has done as yet.
- Examining somebody's personal waste would require RIPA if it was still on their property, but not if it was in a public space.
- Examination of fly tipping to find details of the perpetrator is overt and done by identifiable officers so does not require RIPA. The preference is to do open surveillance wherever possible.
- There was a discussion on whether V&E was the appropriate place for this report. In section 3.7.1 policy document, it states Audit Committee will review RIPA. The Terms of Reference for V&E says it manages RIPA on behalf of AC. This report will go to AC in due course, as they will want to have assurance on this.
- There is lots of information and guidance for officers on how to do surveillance, along with appropriate forms. There are lots of similar requirements in non-RIPA surveillance guidance that has come from RIPA. There is also regular training for staff.
- It was confirmed that the policy document has been updated to 2020 but is still marked 2019 in error.
- BCC has carried out 2 RIPA investigations in 19/20. Those are the only RIPA cases since 2016.
- CS asked about previous occasions where councillor social media was monitored by BCC and whether this needed RIPA. TOG said he was unfamiliar with the situation but would be happy to discuss this offline. (ACTION)
- The inspection report is an exempt item, but says that no further inspection is required. It was a light touch inspection and we do not expect another inspection for another 4 years. We don't use RIPA very often when compared with other authorities.

RESOLVED The Committee notes the report.

Meeting ended at 2.00 pm

CHAIR _____

