

## Equality Impact Assessment Form

### Section A

#### 1. Document Control

##### 1. Control Details

Title:	Updated Regulation of Investigatory Powers (RIPA) Policy
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Department:	Legal and Governance
Service Area:	Information Compliance
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Strategic Budget EIA: Y/N	N
Exempt from publication Y/N	N

##### 2. Document Amendment Record

Version	Author	Date	Approved
1.	Naomi Matthews	29 March 2019	

##### 3. Contributors/Reviewers

Name	Position	Date
Saema Mohammad	Equality, Diversity & Inclusion Lead	29/6/22

#### 4. Glossary of Terms

Term	Description

#### [screentip-sectionB](#)

### 2. Assessment

#### 1. Brief description of proposal / policy / service being assessed

Updated Regulation of Investigatory Powers (RIPA) Policy and Guidance.  
This policy and guidance is for criminal investigations to ensure that covert surveillance is conducted lawfully and proportionately. This policy safeguards citizens as it puts in place a clear procedure to ensure that all surveillance is only conducted where it is lawful to do so. A test of necessity, proportionality and collateral intrusion are carried out as part of the process, this will include a consideration of any cultural sensitivities. In the last few years only a small amount of authorisations have been granted.

#### [screentip-sectionC](#)

#### 2. Information used to analyse the effects on equality:

Previous Policy.  
Covert Surveillance and Property Interference – Revised Code of Conduct – August 2018  
Covert Human Intelligence Sources – Revised Code of Conduct – August 2018

Inspection Report on Nottingham City Council from Office of Surveillance Commissioner – April 2016  
 There are regular reviews but this does not include equalities data. Surveillance is only carried out on suspects involved in criminal investigations. The policy and guidance will be beneficial from an equalities impact point of view as it seeks to put safeguards in place.

**3. Impacts and Actions:**

<u><a href="#">screentip-sectionD</a></u>	<b>Could particularly benefit X</b>	<b>May adversely impact X</b>
People from different ethnic groups.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Men	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Women	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Trans	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disabled people or carers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy/ Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>
People of different faiths/ beliefs and those with none.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lesbian, gay or bisexual people.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Older	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Younger	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, vulnerable children/ adults).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b><i>Please underline the group(s) /issue more adversely affected or which benefits.</i></b>		

<p style="text-align: right;"><a href="#"><u>screeintip-sectionE</u></a></p> <p><b>How different groups could be affected</b> (Summary of impacts)</p>	<p style="text-align: right;"><a href="#"><u>screeintip-sectionF</u></a></p> <p><b>Details of actions to reduce negative or increase positive impact</b> (or why action isn't possible)</p>
<p>All citizens but particularly protected groups of persons will benefit from the Council having an updated Policy and Guidance in relation to RIPA. The main impact of such a policy is to prevent unnecessary and intrusive surveillance which has the potential to breach a person's human rights if not carried out in an authorised manner.</p> <p>The Regulation of Investigatory Powers Act 2000 ("RIPA") provides a statutory framework which regulates the use of directed surveillance and the conduct of covert human intelligence sources (informants or undercover officers) by public authorities.</p> <p>The Act requires that Public Authorities (including local authorities) use covert techniques in a way that is necessary, proportionate and compatible with human rights.</p> <p>The submission of the updated Policy and guidance is pursuant to a previous recommendations made to the City Council by the Office of Surveillance Commissioners as part of their inspection report in April 2016 recommending that the Council raise the formality level of the Policy with Elected Members and also across the wider organisation in order to safeguard against inadvertent, unauthorised surveillance.</p>	<p>Inherent within the Policy and Guidance are processes which safeguard against unlawful and intrusive surveillance. The Council appoints and trains Authorised Officers to have the responsibility to review, approve or reject applications from Officers to undertake covert surveillance. The Act requires that there is a Senior Responsible Officer (SRO) in place with responsibility for the oversight of RIPA across the Authority and this position is currently held by the Director of Legal and Governance Services.</p> <p>Investigating officers who are in positions and teams most likely to use surveillance must undertake annual refresher training in relation to RIPA.</p> <p>Training and workshops in relation to RIPA are already offered generally across the Council.</p> <p>Plans are in place to ensure that newly elected Members are trained on information governance and RIPA as part of their Member Induction Programme after the May 2019 elections. It is noted that Elected Members are not part of the decision making process in relation to RIPA applications, however it is imperative that he level of seriousness in relation to this Policy is understood across the organisation.</p>

	<p>An Online Training Module in relation to RIPA is to be made available via Learning Zone by June 2019. Officers identified as having this training need will be required to complete the module.</p> <p>All of the above activity is either to raise awareness to prevent inadvertent surveillance and/or to ensure that any authorised activity is carried in accordance with the RIPA Act.</p>
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**4. Outcome(s) of equality impact assessment:**

<input checked="" type="checkbox"/>	No major change needed	<input type="checkbox"/>	Adjust the policy/proposal
<input type="checkbox"/>	Adverse impact but continue	<input type="checkbox"/>	Stop and remove the policy/proposal

**5. Arrangements for future monitoring of equality impact of this proposal / policy / service:**

<ol style="list-style-type: none"> <li>1. Compliance against this Policy will be monitored annually by the Council’s Audit Committee within a wider assurance report on information governance.</li> <li>2. The Policy is proposed for regular review and scrutiny by the Council’s Overview and Scrutiny function and any future updates will be reported to the Executive Board for review and approval.</li> <li>3. Inherent within the Policy and Guidance are processes and safeguards to ensure that surveillance is only carried out when necessary and proportionate.</li> </ol> <p>Within all of the above, there will be a continuing need to monitor the equality impact of the policy.</p>
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**6. Approved by (manager signature) and Date sent to equality team for publishing:**

<p><b>Approving Manager: Saema Mohammad</b></p>	<p><b>Date sent for scrutiny: 30/06/2022</b> Send document or Link to:</p>
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The assessment must be approved by the manager responsible for the service/proposal. Include a contact tel & email to allow citizen/stakeholder feedback on proposals.	<a href="mailto:equalityanddiversityteam@nottinghamcity.gov.uk">equalityanddiversityteam@nottinghamcity.gov.uk</a>
<b>SRO Approval: Naomi Matthews</b>	<b>Date of final approval: 29/06/2022</b>

**Before you send your EIA to the Equality and Community Relations Team for scrutiny, have you:**

1. Read the guidance and good practice EIA's  
<http://intranet.nottinghamcity.gov.uk/media/1924/simple-guide-to-eia.doc>
2. Clearly summarised your proposal/ policy/ service to be assessed.
3. Hyperlinked to the appropriate documents.
4. Written in clear user-friendly language, free from all jargon (spelling out acronyms).
5. Included appropriate data.
6. Consulted the relevant groups or citizens or stated clearly, when this is going to happen.
7. Clearly cross-referenced your impacts with SMART actions.