

SURVEILLANCE LAW/RIPA TRAINING COURSES

BY Act Now Training Limited

Our Approach: We try to present a practical training session with an emphasis on allowing delegates to do their job whilst respecting the law. We do not see any merit in taking too strict an approach that puts barriers in your day to day activities.

Too often courses in this area leave public sector delegates feeling short changed. They are often too legal in content or are delivered by people with no practical experience of implementation in this field. We have developed a reputation for delivering highly practical courses, which combine a thorough explanation of the law together with practical advice all geared towards your organisation.

All these courses are designed to be delivered at your premises. If you prefer to send delegates to external courses please visit the Act Now Training website at www.actnow.org.uk.

Course Timings:

Full Day: 10am to 4pm - 1 hour for lunch and 15 minute am and pm break

Half Day (am or pm) - 3 hours with 15 minute break

Requirements: Screen, flipchart and projector to link with our laptop. We will send you a master copy of the delegate pack to be copied by you at your expense.

Content: Surveillance Law is a generic term which incorporates various legislation which governs the way the public sector carries out surveillance. The main Act is the Regulation of Investigatory Powers Act 2000 (RIPA). The following courses concentrate on this but also look at other legislation such as the Data Protection Act 1998(DPA).

What courses are available?

1. Full Day Surveillance Law RIPA Workshop
2. Basic Half Day Training Course
3. RIPA: Accessing Communications Data Workshop
4. Home Office Accredited SPoC Training Course
5. Email and Internet monitoring

We set out below some examples of RIPA/Surveillance Law course outlines. These can all be tailored to meet the needs of the delegates:

1. Full Day Surveillance Law RIPA Workshop

A workshop on the law which applies to surveillance of people, premises and communications. This course will help you prepare for an OSC inspection.

The Regulation of Investigatory Powers Act 2000 (RIPA) and the Regulation of Investigatory Powers (Scotland) Act 2002 (RIPSA) govern the way the public sector (e.g. police, councils, fire, ambulance and NHS) does surveillance on people, premises and communications. This interactive course, packed full of case studies, will explain RIPA and RIPSA in detail, as well as examine related legislation such as the Human Rights Act 1998 and the Data Protection Act 1998. Whatever type of surveillance you do this course will help you do it lawfully. Key topics include:

Main RIPA Provisions in Detail

- Directed Surveillance

- Intrusive Surveillance
- Covert Human Intelligence Sources (CHIS)
- Authorisation requirements
- Forms and Codes of Practice

Email and Internet Monitoring

- Monitoring without consent
- The Data Protection angle
- Lawful Business Practice Regulations
- Policies and procedures

Record Keeping and Scrutiny

- What records need to be kept
- Surveillance Commissioner (OSC) inspections
- Enforcement and the RIPA shield
- Surveillance Tribunal

Access to Communications Data – The New Law

- Email, telephone, internet and postal information
- Who can access communications data?
- Role of the SPoC and Designated Person
- Standard forms

Related Legislation

- CCTV usage and the Data Protection Code
- DP Code Part 3: Surveillance of Employees
- The Human Rights Act 1998 and privacy
- The Freedom of Information Act

Different Types of Surveillance

- Employee surveillance
- Benefit fraud surveillance
- CCTV surveillance
- Test purchases
- Surveillance for ASBOs
- Trading standards operations

2. Basic Half Day Training Course

This course is similar to the full day course. We concentrate on the main provisions of RIPA and less on related legislation. It is ideal for enforcement officers including trading standards and environmental health staff.

3. RIPA: Accessing Communications Data Workshop

A practical workshop on how to access communications data under the Regulation of Investigatory Powers Act 2000 (RIPA). This course will help you prepare for an ICC inspection.

RIPA now gives local authorities and other public sector organisations, including fire and ambulance services, the power to access to communications data e.g. mobile phone, postal, e mail and website data. It is essential that those who are seeking to use these powers as well as those who are authorising their use (Designated Persons), have a good understanding of the law and practice in this area. This workshop will examine the latest Code of Practice and Home Office guidance in this complex area.

After completing the course delegates will understand:

- The different types of data retained by communications providers that could assist investigations and what can and cannot be accessed by different public authorities
- The impact of the Human Rights Act 1998 and the ECHR particularly Article 8 (right to privacy) and Article 6 (right to a fair trial)
- The human rights tests for necessity, proportionality and collateral intrusion in relation to RIPA and communications data
- Best practice in relation to completing and submitting application forms, notices and authorisations
- Issues of data retention and disclosure
- Role of the Designated Person, the investigating officer and the Single Point of Contact (SPoC)
- Consequences of non compliance and enforcement
- Links with the Data Protection Act 1998
- Latest changes to the Code of Practice including :
 - Latest forms issued by the Home Office
 - The new role of the Senior Responsible Officer
 - New provisions regarding dropped and malicious calls

This is an interactive course. There will be plenty of opportunity for questions, discussion and for working through case studies and exercises.

4. Home Office Accredited SPoC Training Course (Two Days)

The Regulation of Investigatory Powers Act 2000 gives local authorities, the police and other public sector organisations (e.g. fire and ambulance services) access to communications data. All organisations using these new powers must have a named Single Point of Contact (SPoC) who should have attended a Home Office approved training course by 31st March 2005. Many have still not done this. This is two day course followed by a one hour exam. It can be delivered in house or you can send your delegates to one of my accredited external courses. The content is very similar to the communications data course (above).

Click here for full details: <http://www.actnow.org.uk/Aut07/COMMSPOC.pdf>

5. Email and Internet Monitoring

Monitoring and recording of employees' email, internet and telephone usage (with or without consent) is a legal minefield. This workshop provides a thorough examination of the law and practice in this area. We will look in detail at Part 1 of the Regulation of Investigatory Powers Act 2000 (RIPA) as well as the Lawful Business Practice Regulations, the Human Rights Act 1998 and the Data Protection Act 1998 and related codes.

This is an interactive workshop full of exercises and case studies. As well as the latest caselaw we will discuss the possibility of using written policies and procedures to guard against the legal problems. This course is a must for all employment lawyers and personnel

advisers, whether in the public or the private sector, who are often called upon to advise on these issues. The content includes:

The Legal Risks

A brief of overview of the legal risks involved in e mail and internet misuse including harassment, pornography, discrimination, defamation etc. Decided cases on surveillance.

Human Rights and Privacy

A detailed discussion of the law of privacy including Article 8 of the ECHR and possible legal challenges to monitoring and surveillance. Can a breach of Article 8 be justified?

RIPA and Covert Surveillance

Criminal and civil liability under the Regulation of Investigatory Powers Act 2000 (RIPA). When does e mail and internet monitoring amount to Directed Surveillance under RIPA? Authorisations and record keeping requirements. How to make surveillance overt.

Lawful Business Practice Regulations

Circumstances in which monitoring can take place without consent. Safeguards required. Possible challenges.

The Data Protection Angle

The Data Protection Act 1998 and its application to surveillance. Part 3 of the Employment Practices Data Protection Code on surveillance of employees. Safeguards and policies required.

Policies and Procedures

What to include in email/internet usage policies. What to say about surveillance. Status of policies. Making staff aware. A checklist and sample policy will be discussed.

Workshop Style

Delegates will work through a number of real life case studies and exercises in order to discuss issues that commonly arise. There will also be plenty of time to discuss delegates' own queries.

Speakers

All our speakers are experts and leaders in this field with years' of experience in both working in and doing training for the public sector.

FEES

The fee for each course depends on the precise content, travelling and preparation time. To discuss your particular training needs and to receive a full quotation please get in touch:

Email: info@actnow.org.uk

Tel: 01924 451054

Or complete the enquiry form on our website www.actnow.org.uk