

**REDCAR and CLEVELAND
BOROUGH COUNCIL**

**REGULATION OF
INVESTIGATORY
POWERS
ACT 2000.**

**PROCEDURAL ADVICE
FOR
(IN)FREQUENT USERS.**

Chief Executive's Department

Produced by:
Legal & Democratic Services Division
Chief Executive's Department
Redcar & Cleveland Borough Council

R&C.L&DS.RIPA.PROCADV.1.0.
February 2003



Contents.

Foreword.....	4
A. Establish Whether an Operation Requires Authorisation.	5
B. Completion of Application for Authorisation to Carry Out Directed Surveillance (A1).....	6
C. Authorisation of Application for Authorisation to Carry Out Directed Surveillance (A1).....	8
D. Preparation of Review of a Directed Surveillance Authorisation (A28).	11
E. Review of a Directed Surveillance Authorisation (A28).	12
F. Preparation of Application for Renewal of a Directed Surveillance Authorisation (A2).	14
G. Authorisation of Renewal of a Directed Surveillance Authorisation (A2).	15
H. Preparation of Cancellation of Directed Surveillance Authorisation (A3).	17
I. Cancellation of Directed Surveillance Authorisation (A3).	18
J. Preparation of Authorisation in Respect of Non-Regulated Surveillance (A30).	19
K. Authorisation in Respect of Non-Regulated Surveillance (A30).	20
L. Establish The Case for Use of an Identified Person as a CHIS.	21
M. Completion of Application for Authorisation of the Use or Conduct of a CHIS (A5).	23
N. Initial Completion of a CHIS Source Record (A8).....	25
O. Authorisation of Application for Authorisation of the Use or Conduct of a CHIS (A5).	26
P. Preparation of Review of a CHIS Authorisation (A29).	29
Q. Review of a CHIS Authorisation (A29).....	30
R. Preparation of Application for Renewal of a CHIS Authorisation (A6).....	33
S. Authorisation of Renewal of a CHIS Authorisation (A6).....	34
T. Preparation of Cancellation of Authorisation for Use or Conduct of a CHIS (A7).	36
U. Cancellation of Authorisation for Use or Conduct of a CHIS (A7).....	37
V. Quarterly Departmental Audit.	38
W. Annual Cross-Cutting Audit.	40
X. Joint Operation Requested By Another Public Body.....	42
Y. Allocation of Task(s) to a Private Organisation.....	43

Foreword

- 1.1 This document is provided to support the Council's RIPA Guidance Manual (R&C.L&DS.RIPA.GUIDANCE.1.1). The intention is to document, in a straightforward manner, the questions which need to be asked and the steps which need to be taken to ensure that the Council complies with RIPA.
- 1.2 The procedures are presented as a series of flowcharts, most of which apply to the preparation or the scrutiny of a particular form (though some do mention ancillary forms).
- 1.3 Within most of the flowcharts there are references of the form (A1), (A2) and so on. These are references to the forms as appendices to the RIPA Guidance Manual.
- 1.4 **As with the Guidance Manual, these procedures provide a summary and overview of the legislation and codes of practice. DO NOT seek to rely on them alone. In the event of any doubt, refer to the relevant legislation or code or seek advice from the Data Protection & Information Security Officer (DP&ISO).**

A. Establish Whether an Operation Requires Authorisation.

1. Will any persons (including innocent passers by or visitors to premises) who may be subject to the surveillance be unaware that it is or may be taking place?	NO	The operation is not Covert. Complete a Non-Regulated Surveillance Form (A30). Undertake the operation.
YES		
2. Is it possible to take reasonable steps (e.g. signage, standing in the open) to make people aware that surveillance is or may be taking place?	YES	Take those steps to make the operation Overt. Complete a Non-Regulated Surveillance Form (A30). Undertake the operation.
NO		
3. Is the surveillance merely general observation?	YES	The operation is not Directed. Complete a Non-Regulated Surveillance Form (A30). Undertake the operation.
NO		
4. Is the surveillance likely to result in private information about any person (including innocent passers by or visitors to premises) being obtained?	NO	The operation is not Directed. Complete a Non-Regulated Surveillance Form (A30). Undertake the operation.
YES		
5. Will the surveillance involve residential premises (as defined by RIPA) and/or a private vehicle?	NO	Go to Step 8.
YES		
6. Will the surveillance take place on residential premises or in a private vehicle?	YES	The operation would be Intrusive. Abandon the operation.
NO		
7. Will equipment be used which might result in a product equivalent to surveillance taking place on residential premises or in a private vehicle?	YES	The operation would be Intrusive. Abandon the operation.
NO		
8. Is there any likelihood of similar activities to those proposed being undertaken by another department of the Council or another agency?	NO	Go to Step 11.
YES		
9. Contact the other department(s)/agency(s) to identify any duplication.		
10. Is there any likelihood of duplication?	YES	Re-plan the operation as a joint one with the other department(s)/agency(s).
NO		
11. Is it possible to obtain the product sought by any method(s) other than Covert, Directed Surveillance?	YES	Re-plan the operation to obtain the product using the alternative method(s).
NO		
12. Complete the appropriate Authorisation Form(s) (A1 + possibly A5)		
13. Complete the Risk Assessment form (A12) as detailed in Section 5 and Appendices 9, 10 & 11 of the Guidance Manual.		
14. Seek authorisation before proceeding with the operation.		

B. Completion of Application for Authorisation to Carry Out Directed Surveillance (A1).

1. Request an Operation Reference Number from the DP&ISO. Enter it on the form when it is provided but do not delay preparation of other elements of the form whilst waiting for it.

2. Enter the Name of the person making the application

3. Give details of the Unit/Branch/Division of the Council where the Applicant works.

4. Enter details of the address where the person making the application works and other contact details.

5. Enter the name of the operation (if applicable). This will be any reference by which the operation is known within the Unit/Branch/Division in question, as opposed to the central Operation Reference Number provided by the DP&ISO.

6. **Box 1.** Enter details of the officer from whom Authorisation will be sought.

7. **Box 2.** Provide details of the conduct for which Authorisation is being sought and the purpose of the activity. **N.B.** This needs to be in terms of something like “Activity will take the form of static observations of 6 John Street from a vehicle parked approximately 50 yards away. Two operatives, X and Y, will be involved. Observations will take place between the hours of xx and yy using zzz equipment. X will keep the observation log”.
Merely using terms such as “Keep observations on” is insufficient.
The use of set phrases is not acceptable.

8. **Box 3.** The form is pre-populated with the six specific reasons (defined by Section 28(3) of RIPA) which may necessitate Directed Surveillance. Delete any which do not apply.

9. **Box 4.** Enter a detailed explanation of why each specific reason indicated applies **in this particular case**.

10. **Box 5.** Enter a detailed explanation of why the proposed action is proportionate. Give details of all other means of obtaining information considered and why they have been rejected in favour of surveillance. **N.B.** The seriousness of the suspected offence is not the test of proportionality.
The use of set phrases is not acceptable.

11. **Box 6.** Enter a detailed explanation of the nature of the conduct for which Authorisation is being sought. This must include details (including ownership) of any and all Premises, Vehicles and Equipment which it is intended will be used.

12. **Box 7.** Provide details of any and all persons who are expected to be subjects of the conduct for which Authorisation is being sought. **N.B.** This need not necessarily identify people by name. It could be along the lines of “Driver of white, N registered, Transit van believed to be selling tobacco products illegally”.

13. **Box 8.** Give details of the information which the Applicant wishes to obtain from the conduct for which Authorisation is being sought. This should include details of the format(s) in which the information will be recorded (e.g. Photographs, Video film, Voice recordings, Surveillance log, Officers’ Notes). **N.B.** Where appropriate the description of the information being sought must include that which disproves as well as proves allegations or shows inactivity rather than activity.

14. **Box 9.** Enter details of any **potential** Collateral Intrusion together with details of **why** such intrusion cannot be avoided. This should include details of any measures taken to reduce intrusion (e.g. placing a noise recording device against a kitchen rather than a bedroom wall) and of any plans to minimise intrusion which cannot be avoided.

N.B. Collateral Intrusion is where interference with the privacy of others not subject to the original surveillance may occur. Examples of “others” are innocent passers by, visitors to premises under surveillance and family & friends of persons who are the subject of surveillance.

Merely using terms such as “Minimal” is insufficient.

The use of set phrases is not acceptable.

15. **Box 10.** Provide details of the **likelihood** of acquiring any Confidential Information. Confidential Information includes Matters subject to legal privilege, Confidential personal information (basically that which concerns health and spiritual matters) and Confidential journalistic material.

N.B. The test is likelihood of acquisition, not intent to acquire.

16. **Box 11.** Enter the Date and Time at which the conduct for which Authorisation is sought is intended to start.

17. **Box 12.** Enter the details of the person making the application

18. Is the application Urgent?

NO

Go to Step 20.

YES

19. **Box 17.** Give a detailed explanation of why the application is urgent together with details of the Applicant, signature, time and date

20. Pass or take the form to the officer from whom Authorisation will be sought.

C. Authorisation of Application for Authorisation to Carry Out Directed Surveillance (A1).

1. Does the form contain an Operation Reference Number supplied by the DP&ISO?	NO	Return the form to the Applicant with instructions to obtain a number before re-presenting the form for Authorisation.
YES		
2. Are the details of the Applicant correctly completed?	NO	Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Authorisation.
YES		
3. Box 1. Are the details of the Authorising Officer correct.	YES	Go to Step 6
NO		
4. Is it appropriate to correct the details?	NO	Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Authorisation.
YES		
5. Correct the Authorising Officer details and sign the correction.		
6. Box 2. Is the information provided sufficiently detailed and free of set phrases?	NO	Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Authorisation.
YES		
7. Boxes 3 & 4. Are the appropriate grounds stated and is there sufficient justification for the use of Directed Surveillance rather than any other method of obtaining the information?	NO	Refuse to authorise the operation and record the reason(s) why on the form. Forward a copy of the form, securely , to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A18).
YES		
8. Box 5. Is there sufficient evidence to show that the surveillance is proportionate and not excessive?	NO	Refuse to authorise the operation and record the reason(s) why on the form. Forward a copy of the form, securely , to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A18).
YES		
9. Boxes 6 & 7. Is the description of the activity to be undertaken and any known subjects sufficiently comprehensive and does the Applicant describe how the surveillance will be undertaken, where it will occur and any equipment (e.g. cameras, video camera) which will be used?	NO	Refuse to authorise the operation and record the reason(s) why on the form. Forward a copy of the form, securely , to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A18).
YES		
10. Box 8. Is information being sought described, including how this may provide evidence of the offence or other matter being investigated?	NO	Refuse to authorise the operation and record the reason(s) why on the form. Forward a copy of the form, securely , to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A18).
YES		
11. Box 9. Is the potential for collateral intrusion identified and are there plans to avoid / minimise such intrusion?	NO	Refuse to authorise the operation and record the reason(s) why on the form. Forward a copy of the form, securely , to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A18).
YES		

<p>12. Box 10. Is there a statement of the likelihood of obtaining confidential material / religious material and is it sufficiently detailed?</p>	<p>NO</p>	<p>Refuse to authorise the operation and record the reason(s) why on the form. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A18).</p>
<p>YES</p>		
<p>13. Box 10. Is there any intention or likelihood of confidential material being obtained?</p>	<p>NO</p>	<p>Go to Step 15.</p>
<p>YES</p>		
<p>14. Are you the Chief Executive (or, in his absence, a Chief Officer)?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to take it to the Chief Executive (or, in his absence, a Chief Officer) for authorisation.</p>
<p>YES</p>		
<p>15. Box 11. Are the details of the Anticipated Start correct.</p>	<p>YES</p>	<p>Go to Step 18.</p>
<p>NO</p>		
<p>16. Is it appropriate to correct the details?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Authorisation.</p>
<p>YES</p>		
<p>17. Correct the Anticipated Start details and sign the correction.</p>		
<p>18. Box 12. Are the details of the Applicant correctly completed?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Authorisation.</p>
<p>YES</p>		
<p>19. Box 17. Have details been provided of why the application is Urgent?</p>	<p>NO</p>	<p>Go to Step 25.</p>
<p>YES</p>		
<p>20. Box 17. Do the reasons why the application is Urgent carry sufficient weight for agreeing?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Authorisation.</p>
<p>YES</p>		
<p>21. Box 18 Enter a detailed statement of the reasons for agreeing that the application is Urgent.</p>		
<p>22. Is the urgent authorisation to be granted by someone other than the officer who would normally authorise the operation?</p>	<p>NO</p>	<p>Go to Step 24.</p>
<p>YES</p>		
<p>23. Box 19 Enter detailed reasons why it is not practicable for the authorisation to come from the officer who would normally authorise the operation.</p>		
<p>24. Box 19. Enter your details and Sign, Date & Time the form.</p>		
<p>25. Is Confidential Material to be authorised?</p>	<p>NO</p>	<p>Go to Step 27.</p>
<p>YES</p>		
<p>26. Box 16. Enter a detailed explanation of why the authorisation for confidential material is to be granted together with details of any control measures (e.g. reviews, circumstances in which the surveillance must be stopped) which are deemed to be necessary. Enter your details and Sign, Date & Time the form.</p>		

27. **Box 13.** Enter a detailed explanation of why the authorisation is to be granted together with details of any control measures (e.g. reviews, circumstances in which the surveillance must be stopped) which are deemed to be necessary.

28. **Box 15.** Enter the dates of when the first and subsequent reviews of the authorisation must take place.

29. **Box 14.** Enter your details and Sign, Date & Time the form.

30. Forward a copy of the form, **securely**, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A18).

D. Preparation of Review of a Directed Surveillance Authorisation (A28).

1. Enter the Operation Reference Number (taken from existing documentation of the operation).
2. Enter the Name of the person making the application
3. Give details of the Unit/Branch/Division of the Council where the Applicant works.
4. Enter details of the address where the person making the application works and other contact details.
5. Enter the name of the operation (if applicable), the date of authorisation or last renewal & expiry date of authorisation or last renewal (taken from existing documentation of the operation) plus the number of this review.
6. Box 1. Enter the numbers and dates of any previous reviews of this authorisation (taken from existing documentation of the operation).
7. Box 2. Provide details of the activity which has been undertaken since the last review, the information obtained and its value. N.B. This needs to be in terms of something like “Static observations of 6 ??? Street were carried out between the hours of 7am to 7:30am and 5pm to 6pm on dd/mm/yy. Person A was seen to leave the property during the morning observation period and to return during the evening observation period. Still photographs of Person A were obtained. This suggests that Person A may be residing at the property and going out to work each day”. The use of set phrases is not acceptable.
8. Box 3. Provide details of why it is necessary to continue. N.B. This needs to be in terms of something like “Observations of the property need to continue at the same hours during the period dd/mm/yy to dd/mm/yy. This will establish whether Person A’s activities are regular – which would tend to confirm the suggestion of residency/employment”. Again, the use of set phrases is not acceptable.
9. Box 4. Enter a detailed explanation of why the proposed action continues to be proportionate. Give details of all other means of obtaining information considered and why they have been rejected in favour of surveillance. It is not sufficient simply to repeat the information given on the original authorisation form.
10. Box 5. Enter details of any Collateral Intrusion which has occurred and why it occurred. Also enter details of any further Collateral Intrusion which may potentially occur, together with details of why such intrusion cannot be avoided. This should include details of any measures taken to reduce intrusion (e.g. placing a noise recording device against a kitchen rather than a bedroom wall) and of any plans to minimise intrusion which cannot be avoided. The use of set phrases is not acceptable.
11. Box 6. Enter details of any Confidential Information which has been obtained, why it was obtained and why it is required. Also enter details of any further likelihood of acquiring any Confidential Information. Confidential Information includes Matters subject to legal privilege, Confidential personal information (basically that which concerns health and spiritual matters) and Confidential journalistic material. N.B. The test is likelihood of acquisition, not intent to acquire.
12. Box 7. Enter the details of the person making the application
13. Ensure that the Record of Product Obtained by Directed Surveillance form (A4) is updated if/as necessary.
14. Pass or take the Record of Product and Review Form to the officer who is to review the Authorisation.

E. Review of a Directed Surveillance Authorisation (A28).

<p>1. Has the Record of Product Obtained by Directed Surveillance been adequately kept up to date?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete/update the Record of Product Obtained by Directed Surveillance properly before re-presenting the form for Authorisation.</p>
<p>YES</p>		
<p>2. Does the Review form contain the correct Operation Reference Number (taken from existing documentation of the operation)?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to obtain the number before re-presenting the form for Review.</p>
<p>YES</p>		
<p>3. Are the details of the Applicant and operation (including authorisation/renewal dates and review number) correctly completed?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Review.</p>
<p>YES</p>		
<p>4. Box 1. Are the details of any previous reviews of this authorisation correct.</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Review.</p>
<p>YES</p>		
<p>5. Box 2. Is the information provided sufficiently detailed and free of set phrases?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Review.</p>
<p>YES</p>		
<p>6. Box 3. Are the grounds of necessity to continue sufficiently detailed and free of set phrases?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Review.</p>
<p>YES</p>		
<p>7. Box 3. Do the grounds of necessity to continue provide sufficient justification for the authorisation to continue?</p>	<p>NO</p>	<p>Record detailed reason(s) why the authorisation should not continue in Box 8. Complete the statement in Box 9. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A18). Complete a Cancellation of Directed Surveillance Authorisation form (A3).</p>
<p>YES</p>		
<p>8. Box 4. Is there sufficient evidence to show that continuing the surveillance is still proportionate and not excessive?</p>	<p>NO</p>	<p>Record detailed reason(s) why the authorisation should not continue in Box 8. Complete the statement in Box 9. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A18). Complete a Cancellation of Directed Surveillance Authorisation form (A3).</p>
<p>YES</p>		
<p>9. Box 5. Are the records of any Collateral Intrusion which has occurred, and why it occurred, sufficiently detailed?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Review.</p>
<p>YES</p>		
<p>10. Box 5. Is the potential for future collateral intrusion identified and are there plans to avoid / minimise such intrusion, having regard to any which has already occurred?</p>	<p>NO</p>	<p>Record detailed reason(s) why the authorisation should not continue in Box 8. Complete the statement in Box 9. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A18). Complete a Cancellation of Directed Surveillance Authorisation form (A3).</p>
<p>YES</p>		
<p>11. Box 6. Has any confidential material been obtained and/or is there any intention or likelihood of confidential material being obtained?</p>	<p>NO</p>	<p>Go to Step 15.</p>

YES	
12. Are you the Chief Executive (or, in his absence, a Chief Officer)?	NO Return the form to the Applicant with instructions to take it to the Chief Executive (or, in his absence, a Chief Officer) for review.
YES	
13. Box 6. Are the records of any confidential information obtained, and why it was obtained, sufficiently detailed?	NO Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Review.
YES	
14. Box 6. Is the likelihood of acquiring further confidential information identified in sufficient detail?	NO Record detailed reason(s) why the authorisation should not continue in Box 8 . Complete the statement in Box 9 . Forward a copy of the form, securely , to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A18). Complete a Cancellation of Directed Surveillance Authorisation form (A3).
YES	
15. Box 7. Are the details of the Applicant correctly completed?	NO Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for review.
YES	
16. Is there justification for continuing the authorisation?	NO Record detailed reason(s) why the authorisation should not continue in Box 8 . Complete the statement in Box 9 . Forward a copy of the form, securely , to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A18). Complete a Cancellation of Directed Surveillance Authorisation form (A3).
YES	
17. Box 8. Enter a detailed explanation of why the authorisation should continue together with details of any changes to control measures (e.g. reviews, circumstances in which the surveillance must be stopped) which are deemed to be necessary.	
18. Box 10. Enter the date of when the next review of the authorisation must take place.	
19. Box 9. Enter your details and Sign, Date & Time the form.	
20. Forward a copy of the form, securely , to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A18).	

F. Preparation of Application for Renewal of a Directed Surveillance Authorisation (A2).

1. Enter the Operation Reference Number (taken from existing documentation of the operation).
2. Enter the Name of the person making the application
3. Give details of the Unit/Branch/Division of the Council where the Applicant works.
4. Enter details of the address where the person making the application works and other contact details.
5. Enter the name of the operation (if applicable) (taken from existing documentation of the operation) plus the number of this Renewal.
6. Box 1. Enter the numbers and dates of any previous renewals of this authorisation (taken from existing documentation of the operation).
7. Box 2. Provide full details of any significant changes in relation to the operation since it was authorised. Unless such matters have been aired in the course of a review these should include details of the activity which has been undertaken since the authorisation or last renewal. The use of set phrases is not acceptable.
8. Box 3. Provide details of why it is necessary to continue. N.B. This needs to be in terms of something like “Observations of the property need to continue at the same hours during the period dd/mm/yy to dd/mm/yy. This will establish whether Person A’s activities are regular – which would tend to confirm the suggestion of residency/employment”. Again, the use of set phrases is not acceptable.
9. Box 4. Enter a detailed explanation of why the proposed action continues to be proportionate. Give details of all other means of obtaining information considered and why they have been rejected in favour of surveillance. It is not sufficient simply to repeat the information given on the original authorisation form.
10. Box 5. Provide details of the information obtained, it’s content and its value to the operation. N.B. This needs to be in terms of something like “Observations of 6 ??? Street, during which still photographs of Person A entering and leaving the property were obtained, established that Person A appears to be living at the property. This would indicate that the benefit claimant at that address is not living alone.”. The use of set phrases is not acceptable.
11. Box 6. Enter details of the reviews which have been carried out and the recommendation(s) to continue or cancel the authorisation which have resulted
12. Box 7. Enter the details of the person making the application
13. Ensure that the Record of Product Obtained by Directed Surveillance form (A4) is updated if/as necessary.
14. Pass or take the Record of Product and Renewal Form to the officer who is to be asked to renew the Authorisation.

G. Authorisation of Renewal of a Directed Surveillance Authorisation (A2).

<p>1. Has the Record of Product Obtained by Directed Surveillance (A4) been adequately kept up to date?</p> <p style="text-align: center;">YES</p>	NO	<p>Return the form to the Applicant with instructions to complete/update the Record of Product Obtained by Directed Surveillance properly before re-presenting the form for Authorisation.</p>
<p>2. Does the Renewal form contain the correct Operation Reference Number (taken from existing documentation of the operation)?</p> <p style="text-align: center;">YES</p>	NO	<p>Return the form to the Applicant with instructions to obtain the number before re-presenting the form for Renewal.</p>
<p>3. Are the details of the Applicant and operation (including renewal number) correctly completed?</p> <p style="text-align: center;">YES</p>	NO	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Renewal.</p>
<p>4. Box 1. Are the details of any previous renewals of this authorisation correct.</p> <p style="text-align: center;">YES</p>	NO	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Renewal.</p>
<p>5. Box 2. Is the information provided sufficiently detailed and free of set phrases?</p> <p style="text-align: center;">YES</p>	NO	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Renewal.</p>
<p>6. Box 3. Are the grounds of necessity to continue sufficiently detailed and free of set phrases?</p> <p style="text-align: center;">YES</p>	NO	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Renewal.</p>
<p>7. Box 3. Do the grounds of necessity to continue provide sufficient justification for the authorisation to continue?</p> <p style="text-align: center;">YES</p>	NO	<p>Record detailed reason(s) why the authorisation should not continue in Box 8. Amend/complete the statement in Box 9. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A19). Complete a Cancellation of Directed Surveillance Authorisation form (A3).</p>
<p>8. Box 4. Is there sufficient evidence to show that continuing the surveillance is still proportionate and not excessive?</p> <p style="text-align: center;">YES</p>	NO	<p>Record detailed reason(s) why the authorisation should not continue in Box 8. Amend/complete the statement in Box 9. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A19). Complete a Cancellation of Directed Surveillance Authorisation form (A3).</p>
<p>9. Box 5. Is the information provided sufficiently detailed and free of set phrases?</p> <p style="text-align: center;">YES</p>	NO	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Renewal.</p>
<p>10. Box 6. Is the information provided sufficiently detailed and free of set phrases?</p> <p style="text-align: center;">YES</p>	NO	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Renewal.</p>
<p>11. Box 7. Are the details of the Applicant correctly completed?</p> <p style="text-align: center;">YES</p>	NO	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Renewal.</p>

12. Is there justification for continuing the authorisation?

NO

Record detailed reason(s) why the authorisation should not continue in **Box 8**. Amend/complete the statement in **Box 9**. Forward a copy of the form, **securely**, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A19). Complete a Cancellation of Directed Surveillance Authorisation form (A3).

YES

13. **Box 8**. Enter a detailed explanation of why the authorisation should continue together with details of any changes to control measures (e.g. reviews, circumstances in which the surveillance must be stopped) which are deemed to be necessary.

14. Enter the date of when the next and subsequent reviews of the authorisation must take place.

15. **Box 9**. Enter your details and Sign, Date & Time the form.

16. Forward a copy of the form, **securely**, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A19).

H. Preparation of Cancellation of Directed Surveillance Authorisation (A3).

1. Enter the Operation Reference Number (taken from existing documentation of the operation).
2. Enter the Name of the person making the application
3. Give details of the Unit/Branch/Division of the Council where the Applicant works.
4. Enter details of the address where the person making the application works and other contact details.
5. Enter the name of the operation (if applicable) (taken from existing documentation of the operation).
6. Box 1. Provide details of why the directed surveillance activity should be cancelled. Examples may be: <ul style="list-style-type: none">• that the criteria under which the authorisation was granted/continued/renewed no longer apply, so directed surveillance can no longer be justified• that the directed surveillance activity which was authorised has come to an end and that cancellation is required as merely allowing the authorisation to lapse as a result of time expiring is not acceptable. The use of set phrases is not acceptable.
7. Box 2. Provide details of the value (if any) derived from the directed surveillance activity which has been undertaken and from any information obtained as a result of the activity. N.B. It is important that full details are provided even where no value was derived from the surveillance, as the negative result could serve to prevent fruitless operations taking place in future. The use of set phrases is not acceptable.
8. Ensure that the Record of Product Obtained by Directed Surveillance form (A4) is updated if/as necessary.
9. Pass or take the Record of Product and Cancellation Form to the officer who is to be asked to Cancel the Authorisation.

I. Cancellation of Directed Surveillance Authorisation (A3).

1. Has the Record of Product Obtained by Directed Surveillance (A4) been adequately kept up to date? YES	NO	Return the form to the Applicant with instructions to complete/update the Record of Product Obtained by Directed Surveillance properly before re-presenting the form for Authorisation.
2. Does the Cancellation form contain the correct Operation Reference Number (taken from existing documentation of the operation)? YES	NO	Return the form to the Applicant with instructions to obtain the number before re-presenting the form for Cancellation.
3. Are the details of the Applicant and operation correctly completed? YES	NO	Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Cancellation.
4. Box 1. Is the information provided sufficiently detailed and free of set phrases? YES	NO	Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Cancellation.
5. Box 2. Is the information provided sufficiently detailed and free of set phrases? YES	NO	Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Cancellation.
6. Boxes 4 & 5. Enter the required dates and times.		
7. Box 3. Enter your details and Sign, & Date the form.		
8. Forward a copy of the form, securely , to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A20).		

J. Preparation of Authorisation in Respect of Non-Regulated Surveillance (A30).

1. Request an Operation Reference Number from the DP&ISO. Enter it on the form when it is provided but do not delay preparation of other elements of the form whilst waiting for it.

2. Enter the Name and Position of the person making the application

3. Provide details of the conduct for which Authorisation is being sought and the purpose of the activity.
N.B. This must include full details of the people involved in the operation, where it will take place and the equipment (including vehicles) to be used. It must also give details of the grounds on which the surveillance is deemed to be Non-Regulated rather than needing Authorisation under RIPA.
Merely using terms such as “Keep observations on” is insufficient.
The use of set phrases is not acceptable.

4. Enter details of the start and end dates of the operation.

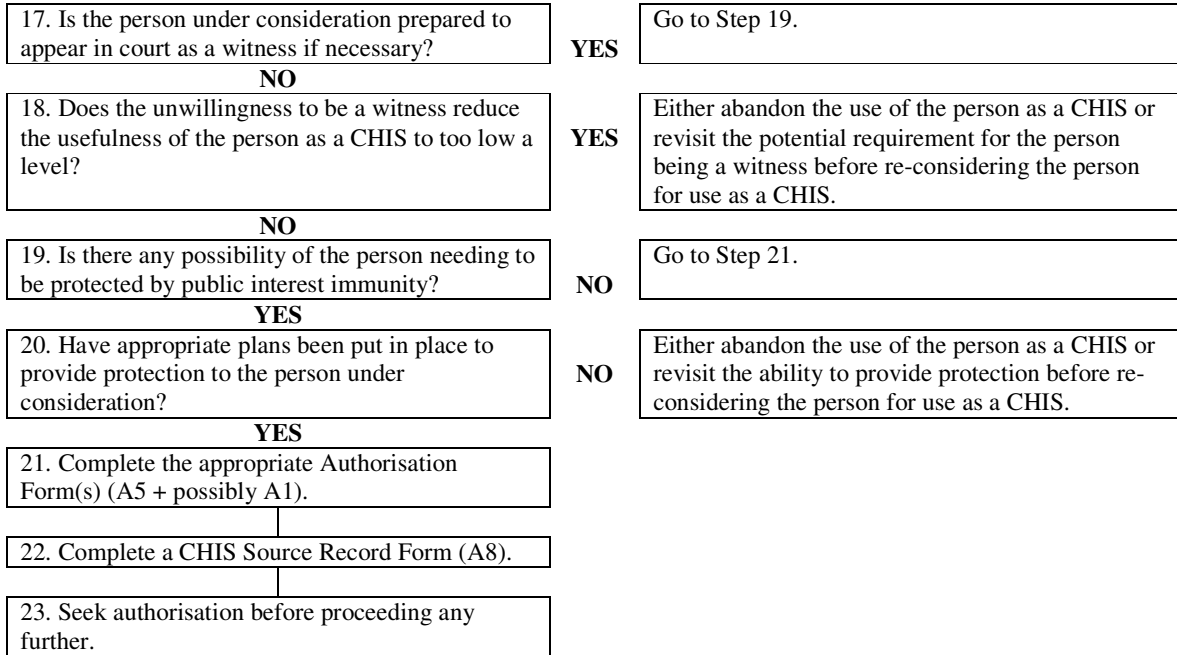
5. Pass or take the form to the officer who is to be asked to Authorise the operation.

K. Authorisation in Respect of Non-Regulated Surveillance (A30).

1. Does the form contain an Operation Reference Number supplied by the DP&ISO? YES	NO	Return the form to the Applicant with instructions to obtain the number before re-presenting the form for Authorisation.
2. Are the details of the Applicant correctly completed? YES	NO	Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Authorisation.
3. Is the description of the proposed operation sufficiently detailed and free of set phrases? YES	NO	Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Authorisation.
4. Does the description of the operation include the grounds on which the surveillance is deemed to be Non-Regulated rather than needing Authorisation under RIPA? YES	NO	Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Authorisation.
5. Do the grounds on which the surveillance is deemed to be Non-Regulated stand up to scrutiny? YES	NO	Return the form to the Applicant with instructions to complete an Application for Directed Surveillance Authorisation (A1).
6. Is there sufficient evidence to warrant the operation being authorised? YES	NO	Refuse to authorise the operation and record the reason(s) why on the form. Complete your name and position (including signature). Forward a copy of the form, securely , to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A18).
5. Record the reasons for granting authorisation on the form.		
6. Complete your name and position (including signature). Forward a copy of the form, securely , to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A18).		

L. Establish The Case for Use of an Identified Person as a CHIS.

1. Is the person under consideration an officer of the Council? YES	NO	Go to Step 6.
2. Has the officer received training in operating undercover? YES	NO	Make arrangements for appropriate training before re-considering the officer for use as a CHIS.
3. Has a full assessment of the risks associated with the officer operating undercover been undertaken? YES	NO	Complete the Risk Assessment form (A12) as detailed in Section 5 and Appendices 9, 10 & 11 of the Guidance Manual. Go to Step 4.
4. Is the officer satisfied that the risks can be adequately managed? YES	NO	Either abandon the use of the officer as a CHIS or revisit the training and risk assessment aspects before re-considering the officer for use as a CHIS.
5. Go to Step 21.		
6. Is the person under consideration someone who has made the first approach to the Council? YES	NO	Go to Step 12.
7. Was the approach a routine complaint? NO	YES	Go to Step 12.
8. Is the person under consideration someone who is motivated by reward or revenge? YES	NO	Go to Step 10.
9. Is the person's motivation something which can be acceptably managed? YES	NO	Abandon the use of the person as a CHIS.
10. Is the person under consideration someone who is attempting to deflect attention away from themselves? YES	NO	Go to Step 12.
11. Is the person's aim to deflect attention something which can be acceptably managed? YES	NO	Abandon the use of the person as a CHIS.
12. Is there sufficient evidence to justify inviting the person to act as a CHIS? YES	NO	Either abandon the use of the person as a CHIS or revisit the justification before re-considering the person for use as a CHIS.
13. Have the types of conduct which would have to be undertaken been fully explained to the person under consideration? YES	NO	Make arrangements for providing a full explanation before re-considering the person for use as a CHIS.
14. Is the person under consideration satisfied that he/she has the ability to undertake the types of conduct which may be involved? YES	NO	Either abandon the use of the person as a CHIS or revisit the explanation of the types of conduct involved before re-considering the person for use as a CHIS.
15. Has a full assessment of the risks associated with the person under consideration operating as a CHIS been undertaken? YES	NO	Complete the Risk Assessment form (A12) as detailed in Section 5 and Appendices 9, 10 & 11 of the Guidance Manual. Go to Step 16.
16. Is the person under consideration satisfied that the risks can be adequately managed? YES	NO	Either abandon the use of the person as a CHIS or revisit the risk assessment before re-considering the person for use as a CHIS.



M. Completion of Application for Authorisation of the Use or Conduct of a CHIS (A5).

1. Request an Operation Reference Number from the DP&ISO. Enter it on the form when it is provided but do not delay preparation of other elements of the form whilst waiting for it.

2. Enter the Name of the person making the application

3. Give details of the Division of the Council where the Applicant works.

4. Enter details of the address where the person making the application works and other contact details.

5. Enter the name of the operation (if applicable). This will be any reference by which the operation is known within the Division in question, as opposed to the central Operation Reference Number provided by the DP&ISO.

6. **Box 1.** Enter details of the officer from whom Authorisation will be sought.

7. **Box 2.** The form is pre-populated with the six specific reasons (defined by Section 29(3) of RIPA) which may necessitate Use or Conduct of a CHIS. Delete any which do not apply.

8. **Box 3.** Enter a detailed explanation of why each specific reason indicated applies **in this particular case**.

9. **Box 4.** Enter a detailed explanation of why the proposed Use or Conduct is proportionate. Give details of all other means of obtaining information considered and why they have been rejected in favour of Use or Conduct of a CHIS.

N.B. The seriousness of the suspected offence is not the test of proportionality.
The use of set phrases is not acceptable.

10. **Box 5.** Provide a detailed explanation of the purpose of the Use or Conduct of the CHIS.

N.B. The use of set phrases is not acceptable.

11. **Box 6.** Provide details of any and all specific investigations or operations that the CHIS will be used for.

12. **Box 7.** Enter a detailed explanation of the nature of the activities which the CHIS will be asked to undertake. This must include details (including ownership) of any and all Premises, Vehicles and Equipment which it is intended will be used by the CHIS.

13. **Box 8.** Give details of the risk assessment(s) which have been undertaken and the outcome of the assessment(s). This must include reference(s) to any risk assessment form(s) (A12) completed.

14. **Box 9.** Enter details of any **potential** Collateral Intrusion together with details of **why** such intrusion cannot be avoided. This should include details of any measures taken to reduce intrusion and of any plans to minimise intrusion which cannot be avoided.

N.B. Collateral Intrusion is where interference with the privacy of others not subject to the original surveillance may occur. Examples of “others” are innocent passers by, visitors to premises under surveillance and family & friends of persons who are the subject of surveillance.
Merely using terms such as “Minimal” is insufficient.
The use of set phrases is not acceptable.

15. **Box 10.** Provide details of the **likelihood** of acquiring any Confidential Information. Confidential Information includes Matters subject to legal privilege, Confidential personal information (basically that which concerns health and spiritual matters) and Confidential journalistic material.

N.B. The test is likelihood of acquisition, not intent to acquire.

16. **Box 11.** Enter the Date and Time at which the conduct for which Authorisation is sought is intended to start.

17. **Box 12.** Enter the details of the person making the application

18. Is the application Urgent? **NO** Go to Step 20.

YES

19. **Box 18.** Give a detailed explanation of why the application is urgent together with details of the Applicant, signature, time and date

20. Pass or take the form to the officer from whom Authorisation will be sought.

N. Initial Completion of a CHIS Source Record (A8).

1. Enter the Operation Reference Number (taken from the Authorisation form (A5)), the Department/Service by which the CHIS will be used and the name of the officer from whom Authorisation will be sought.
2. Enter the Name of the CHIS and any other identity which the CHIS chooses to use .
3. Enter the reference (if any) which the Services chooses to use to identify the CHIS.
4. Enter details of the officers who will act as Handler and Controller of the CHIS, having regard to section 4.4 of the Guidance Manual.
5. Give details of the circumstances in which the CHIS was recruited. This must include whether the approach was made by the Council or the CHIS, any factors which motivate the person to act as a CHIS and the evidence which justifies inviting the person to act as a CHIS. Details of information already provided by the CHIS and/or contacts which have taken place may be entered here or as noted at 8 and 9 below, whichever is most appropriate. The important point is that the details are recorded.
6. Enter details of any rewards or benefits which have been given or promised to the CHIS. N.B. It is NOT currently the Policy of Redcar & Cleveland Borough Council to directly offer any benefits or rewards to a CHIS. Rewards may be forthcoming from a third party (e.g. from a trade association or trade mark holder where an investigation involves counterfeit goods).
7. Enter details of the risk assessment(s) which have been undertaken and the outcome of the assessment(s). This must include reference(s) to any risk assessment form(s) (A12) completed.
8. Enter details of any information already provided by the source and how it was used. This should include details of any information provided in an initial approach to the Council (which possibly has led to the consideration of the person for use as a CHIS).
9. Enter details of any contacts with the source which have already taken place. This should include the reasons why (e.g. initial approach by the CHIS or the Council).

O. Authorisation of Application for Authorisation of the Use or Conduct of a CHIS (A5).

<p>1. Has a CHIS Source Record (A8) been adequately prepared and/or kept up to date?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete/update the CHIS Source Record properly before re-presenting the form for Authorisation.</p>
<p>YES</p>		
<p>2. Is the CHIS a juvenile or vulnerable individual?</p>	<p>NO</p>	<p>Go to Step 4.</p>
<p>YES</p>		
<p>3. Are you the Chief Executive (or, in his absence, a Chief Officer)?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to take it to the Chief Executive (or, in his absence, a Chief Officer) for authorisation.</p>
<p>YES</p>		
<p>4. Does the form contain an Operation Reference Number supplied by the DP&ISO?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to obtain a number before re-presenting the form for Authorisation.</p>
<p>YES</p>		
<p>5. Are the details of the Applicant etc. correctly completed?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Authorisation.</p>
<p>YES</p>		
<p>6. Box 1. Are the details of the Authorising Officer correct.</p>	<p>YES</p>	<p>Go to Step 9.</p>
<p>NO</p>		
<p>7. Is it appropriate to correct the details?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Authorisation.</p>
<p>YES</p>		
<p>8. Correct the Authorising Officer details and sign the correction.</p>		
<p>9. Boxes 2 & 3. Are the appropriate grounds stated and is there sufficient justification for the Use or Conduct of a CHIS rather than any other method of obtaining the information?</p>	<p>NO</p>	<p>Refuse to authorise the Use/Conduct of the CHIS and record the reason(s) why on the form. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A22).</p>
<p>YES</p>		
<p>10. Box 4. Is there sufficient evidence to show that the surveillance is proportionate and not excessive?</p>	<p>NO</p>	<p>Refuse to authorise the Use/Conduct of the CHIS and record the reason(s) why on the form. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A22).</p>
<p>YES</p>		
<p>11. Boxes 5, 6 & 7. Is the description of the purpose, any specific operation and activity to be undertaken sufficiently comprehensive and does the Applicant describe how the activity will be undertaken, where it will occur and any equipment (e.g. cameras, video camera) which will be used?</p>	<p>NO</p>	<p>Refuse to authorise the Use/Conduct of the CHIS and record the reason(s) why on the form. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A22).</p>
<p>YES</p>		
<p>12. Box 8. Is there sufficient evidence to show that adequate risk assessments have been undertaken and properly documented?</p>	<p>NO</p>	<p>Refuse to authorise the Use/Conduct of the CHIS and record the reason(s) why on the form. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A22).</p>
<p>YES</p>		

<p>13. Box 9. Is the potential for collateral intrusion identified and are there plans to avoid / minimise such intrusion?</p>	<p>NO</p>	<p>Refuse to authorise the Use/Conduct of the CHIS and record the reason(s) why on the form. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A22).</p>
YES		
<p>14. Box 10. Is there a statement of the likelihood of obtaining confidential material / religious material and is it sufficiently detailed?</p>	<p>NO</p>	<p>Refuse to authorise the Use/Conduct of the CHIS and record the reason(s) why on the form. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A22).</p>
YES		
<p>15. Box 10. Is there any intention or likelihood of confidential material being obtained?</p>	<p>NO</p>	<p>Go to Step 17.</p>
YES		
<p>16. Are you the Chief Executive (or, in his absence, a Chief Officer)?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to take it to the Chief Executive (or, in his absence, a Chief Officer) for authorisation.</p>
YES		
<p>17. Box 11. Are the details of the Anticipated Start correct.</p>	<p>YES</p>	<p>Go to Step 2.</p>
NO		
<p>18. Is it appropriate to correct the details?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Authorisation.</p>
YES		
<p>19. Correct the Anticipated Start details and sign the correction.</p>		
<p>20. Box 12. Are the details of the Applicant correctly completed?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Authorisation.</p>
YES		
<p>21. Box 18. Have details been provided of why the application is Urgent?</p>	<p>NO</p>	<p>Go to Step 27.</p>
YES		
<p>22. Box 18. Do the reasons why the application is Urgent carry sufficient weight for agreeing?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Authorisation.</p>
YES		
<p>23. Box 19 Enter a detailed statement of the reasons for agreeing that the application is Urgent.</p>		
<p>24. Is the urgent authorisation to be granted by someone other than the officer who would normally authorise the operation?</p>	<p>NO</p>	<p>Go to Step 26.</p>
YES		
<p>25. Box 20 Enter detailed reasons why it is not practicable for the authorisation to come from the officer who would normally authorise the operation.</p>		
<p>26. Box 20. Enter your details and Sign, Date & Time the form.</p>		
<p>27. Is Confidential Material to be authorised?</p>	<p>NO</p>	<p>Go to Step 29.</p>
YES		

28. **Box 17.** Enter a detailed explanation of why the authorisation for confidential material is to be granted together with details of any control measures (e.g. reviews, circumstances in which the surveillance must be stopped) which are deemed to be necessary. Enter your details and Sign, Date & Time the form.

29. **Box 13.** Enter a detailed explanation of why the authorisation is to be granted together with details of any control measures (e.g. reviews, circumstances in which the surveillance must be stopped) which are deemed to be necessary.

30. **Boxes 15 & 16.** Enter the dates of when the first and subsequent reviews of the authorisation must take place.

31. **Box 14.** Enter your details and Sign, Date & Time the form.

32. Forward a copy of the form, **securely**, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A22).

P. Preparation of Review of a CHIS Authorisation (A29).

1. Enter the Operation Reference Number (taken from existing documentation of the operation).
2. Enter the Name of the person making the application
3. Give details of the Unit/Branch/Division of the Council where the Applicant works.
4. Enter details of the address where the person making the application works and other contact details.
5. Enter the name of the operation (if applicable), the date of authorisation or last renewal & expiry date of authorisation or last renewal (taken from existing documentation of the operation) plus the number of this review.
6. Box 1. Enter the numbers and dates of any previous reviews of this authorisation (taken from existing documentation of the operation).
7. Box 2. Provide details of the activity which has been undertaken since the last review, the information obtained and its value. N.B. The use of set phrases is not acceptable.
8. Box 3. Provide details of why it is necessary to continue. N.B. Again, the use of set phrases is not acceptable.
9. Box 4. Enter a detailed explanation of why the proposed action continues to be proportionate. Give details of all other means of obtaining information considered and why they have been rejected in favour of use of a CHIS. It is not sufficient simply to repeat the information given on the original authorisation form.
10. Box 5. Enter details of any Collateral Intrusion which has occurred and why it occurred. Also enter details of any further Collateral Intrusion which may potentially occur, together with details of why such intrusion cannot be avoided. This should include details of any measures taken to reduce intrusion (e.g. placing a noise recording device against a kitchen rather than a bedroom wall) and of any plans to minimise intrusion which cannot be avoided. The use of set phrases is not acceptable.
11. Box 6. Enter details of any Confidential Information which has been obtained, why it was obtained and why it is required. Also enter details of any further likelihood of acquiring any Confidential Information. Confidential Information includes Matters subject to legal privilege, Confidential personal information (basically that which concerns health and spiritual matters) and Confidential journalistic material. N.B. The test is likelihood of acquisition, not intent to acquire.
12. Box 7. Give details of the risk assessment(s) (A12) which have been undertaken since the initial authorisation or last review (as appropriate) and the outcome of the assessment(s). This must include reference(s) to any risk assessment form(s) completed.
13. Box 8. Enter the details of the person making the application
14. Ensure that the CHIS Source Record (A8) is updated with details of Risk Assessments, Tasking & Activities, Information Provided and Contacts.
15. Ensure that the Record of Product Obtained by Directed Surveillance form (A4) is updated if/as necessary.
16. Pass or take the CHIS Source Record, Record of Product and Review Form to the officer who is to review the Authorisation.

Q. Review of a CHIS Authorisation (A29).

<p>1. Has the CHIS Source Record (A8) been adequately kept up to date?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete/update the CHIS Source Record properly before re-presenting the form for Authorisation.</p>
<p>2. Is the CHIS a juvenile or vulnerable individual?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Go to Step 4.</p>
<p>3. Are you the Chief Executive (or, in his absence, a Chief Officer)?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to take it to the Chief Executive (or, in his absence, a Chief Officer) for authorisation.</p>
<p>4. Has the Record of Product Obtained by Directed Surveillance (A4) been adequately kept up to date?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete/update the Record of Product Obtained by Directed Surveillance properly before re-presenting the form for Authorisation.</p>
<p>5. Does the Review form contain the correct Operation Reference Number (taken from existing documentation of the operation)?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to obtain the number before re-presenting the form for Review.</p>
<p>6. Are the details of the Applicant and operation (including authorisation/renewal dates and review number) correctly completed?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Review.</p>
<p>7. Box 1. Are the details of any previous reviews of this authorisation correct.</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Review.</p>
<p>8. Box 2. Is the information provided sufficiently detailed and free of set phrases?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Review.</p>
<p>9. Box 3. Are the grounds of necessity to continue sufficiently detailed and free of set phrases?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Review.</p>
<p>10. Box 3. Do the grounds of necessity to continue provide sufficient justification for the authorisation to continue?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Record detailed reason(s) why the authorisation should not continue in Box 9. Complete the statement in Box 10. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A22). Complete a Cancellation of Authorisation for Use or Conduct of a CHIS form (A7).</p>
<p>11. Box 4. Is there sufficient evidence to show that continuing the surveillance is still proportionate and not excessive?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Record detailed reason(s) why the authorisation should not continue in Box 9. Complete the statement in Box 10. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A22). Complete a Cancellation of Authorisation for Use or Conduct of a CHIS form (A7).</p>

<p>12. Box 5. Are the records of any Collateral Intrusion which has occurred, and why it occurred, sufficiently detailed?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Review.</p>
<p>YES</p>		
<p>13. Box 5. Is the potential for future collateral intrusion identified and are there plans to avoid / minimise such intrusion, having regard to any which has already occurred?</p>	<p>NO</p>	<p>Record detailed reason(s) why the authorisation should not continue in Box 9. Complete the statement in Box 10. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A22). Complete a Cancellation of Authorisation for Use or Conduct of a CHIS form (A7).</p>
<p>YES</p>		
<p>14. Box 6. Has any confidential material been obtained and/or is there any intention or likelihood of confidential material being obtained?</p>	<p>NO</p>	<p>Go to Step 18.</p>
<p>YES</p>		
<p>15. Are you the Chief Executive (or, in his absence, a Chief Officer)?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to take it to the Chief Executive (or, in his absence, a Chief Officer) for review.</p>
<p>YES</p>		
<p>16. Box 6. Are the records of any confidential information obtained, and why it was obtained, sufficiently detailed?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Review.</p>
<p>YES</p>		
<p>17. Box 6. Is the likelihood of acquiring further confidential information identified in sufficient detail?</p>	<p>NO</p>	<p>Record detailed reason(s) why the authorisation should not continue in Box 9. Complete the statement in Box 10. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A22). Complete a Cancellation of Authorisation for Use or Conduct of a CHIS form (A7).</p>
<p>YES</p>		
<p>18. Box 7. Is the evidence of the risk assessment(s) which have been undertaken since the initial authorisation or last review (as appropriate) and the outcome of them sufficiently detailed?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Review.</p>
<p>YES</p>		
<p>19. Box 8. Are the details of the Applicant correctly completed?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for review.</p>
<p>YES</p>		
<p>20. Is there justification for continuing the authorisation?</p>	<p>NO</p>	<p>Record detailed reason(s) why the authorisation should not continue in Box 9. Complete the statement in Box 10. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A22). Complete a Cancellation of Authorisation for Use or Conduct of a CHIS form (A7).</p>
<p>YES</p>		
<p>21. Box 9. Enter a detailed explanation of why the authorisation should continue together with details of any changes to control measures (e.g. reviews, circumstances in which the surveillance must be stopped) which are deemed to be necessary.</p>		

22. **Box 10.** Enter the date of when the next review of the authorisation must take place and complete the statement in the box.

23. Forward a copy of the form, **securely**, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A22).

R. Preparation of Application for Renewal of a CHIS Authorisation (A6).

1. Enter the Operation Reference Number (taken from existing documentation of the operation).
2. Enter the Name of the person making the application
3. Give details of the Unit/Branch/Division of the Council where the Applicant works.
4. Enter details of the address where the person making the application works and other contact details.
5. Enter the name of the operation (if applicable) (taken from existing documentation of the operation) plus the number of this Renewal.
6. Box 1. Enter the numbers and dates of any previous renewals of this authorisation (taken from existing documentation of the operation).
7. Boxes 2 & 3. Provide full details of any significant changes in relation to the Use/Conduct of the CHIS since it was authorised. Unless such matters have been aired in the course of a review these should include details of the activity which has been undertaken since the authorisation or last renewal. The use of set phrases is not acceptable.
8. Box 4. Provide details of why it is necessary to continue. Again, the use of set phrases is not acceptable.
9. Box 5. Enter a detailed explanation of why the proposed action continues to be proportionate. Give details of all other means of obtaining information considered and why they have been rejected in favour of use of a CHIS. It is not sufficient simply to repeat the information given on the original authorisation form.
10. Boxes 6 & 7. Provide details of why the CHIS has been used since the authorisation or last renewal (as appropriate) together with details of the specific tasks undertaken by the CHIS, the information obtained, it's content and its value to the operation. N.B. The use of set phrases is not acceptable.
11. Box 8. Enter details of the reviews which have been carried out and the recommendation(s) to continue or cancel the authorisation which have resulted
12. Box 9. Give details of the risk assessment(s) which have been undertaken since the initial authorisation or last review (as appropriate) and the outcome of the assessment(s). This must include reference(s) to any risk assessment form(s) completed.
13. Box 10. Enter the details of the person making the application
14. Ensure that the CHIS Source Record (A8) is updated with details of Risk Assessments, Tasking & Activities, Information Provided and Contacts.
15. Ensure that the Record of Product Obtained by Directed Surveillance form (A4) is updated if/as necessary.
16. Pass or take the CHIS Source Record, Record of Product and Renewal Form to the officer who is to be asked to renew the Authorisation.

S. Authorisation of Renewal of a CHIS Authorisation (A6).

<p>1. Has the CHIS Source Record (A8) been adequately kept up to date?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete/update the CHIS Source Record properly before re-presenting the form for Authorisation.</p>
<p>2. Is the CHIS a juvenile or vulnerable individual?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Go to Step 4.</p>
<p>3. Are you the Chief Executive (or, in his absence, a Chief Officer)?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to take it to the Chief Executive (or, in his absence, a Chief Officer) for authorisation.</p>
<p>4. Has the Record of Product Obtained by Directed Surveillance (A4) been adequately kept up to date?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete/update the Record of Product Obtained by Directed Surveillance properly before re-presenting the form for Authorisation.</p>
<p>5. Does the Renewal form contain the correct Operation Reference Number (taken from existing documentation of the operation)?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to obtain the number before re-presenting the form for Renewal.</p>
<p>6. Are the details of the Applicant and operation (including renewal number) correctly completed?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Renewal.</p>
<p>7. Box 1. Are the details of any previous renewals of this authorisation correct.</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Renewal.</p>
<p>8. Boxes 2 & 3. Is the information provided sufficiently detailed and free of set phrases?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Renewal.</p>
<p>9. Box 4. Are the grounds of necessity to continue sufficiently detailed and free of set phrases?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Renewal.</p>
<p>10. Box 4. Do the grounds of necessity to continue provide sufficient justification for the authorisation to continue?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Record detailed reason(s) why the authorisation should not continue in Box 11. Amend/complete the statement in Box 12. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A23). Complete a Cancellation of Authorisation for Use or Conduct of a CHIS form (A7).</p>
<p>11. Box 5. Is there sufficient evidence to show that continuing the surveillance is still proportionate and not excessive?</p> <p style="text-align: center;">YES</p>	<p>NO</p>	<p>Record detailed reason(s) why the authorisation should not continue in Box 11. Amend/complete the statement in Box 12. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A23). Complete a Cancellation of Authorisation for Use or Conduct of a CHIS form (A7).</p>

<p>12. Boxes 6 & 7. Is the information provided sufficiently detailed and free of set phrases?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Renewal.</p>
<p>YES</p>		
<p>13. Box 8. Is the information provided sufficiently detailed and free of set phrases?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Renewal.</p>
<p>YES</p>		
<p>14. Box 9. Is the evidence of the risk assessment(s) which have been undertaken since the initial authorisation or last review (as appropriate) and the outcome of them sufficiently detailed?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Review.</p>
<p>YES</p>		
<p>15. Box 10. Are the details of the Applicant correctly completed?</p>	<p>NO</p>	<p>Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Renewal.</p>
<p>YES</p>		
<p>16. Is there justification for continuing the authorisation?</p>	<p>NO</p>	<p>Record detailed reason(s) why the authorisation should not continue in Box 11. Amend/complete the statement in Box 12. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A23). Complete a Cancellation of Authorisation for Use or Conduct of a CHIS form (A7).</p>
<p>YES</p>		
<p>17. Box 11. Enter a detailed explanation of why the authorisation should continue together with details of any changes to control measures (e.g. reviews, circumstances in which the surveillance must be stopped) which are deemed to be necessary.</p>		
<p>18. Box 13. Enter the date of when the next and subsequent reviews of the authorisation must take place.</p>		
<p>19. Box 12. Enter your details and Sign, Date & Time the form.</p>		
<p>20. Forward a copy of the form, securely, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A23).</p>		

T. Preparation of Cancellation of Authorisation for Use of Conduct of a CHIS (A7).

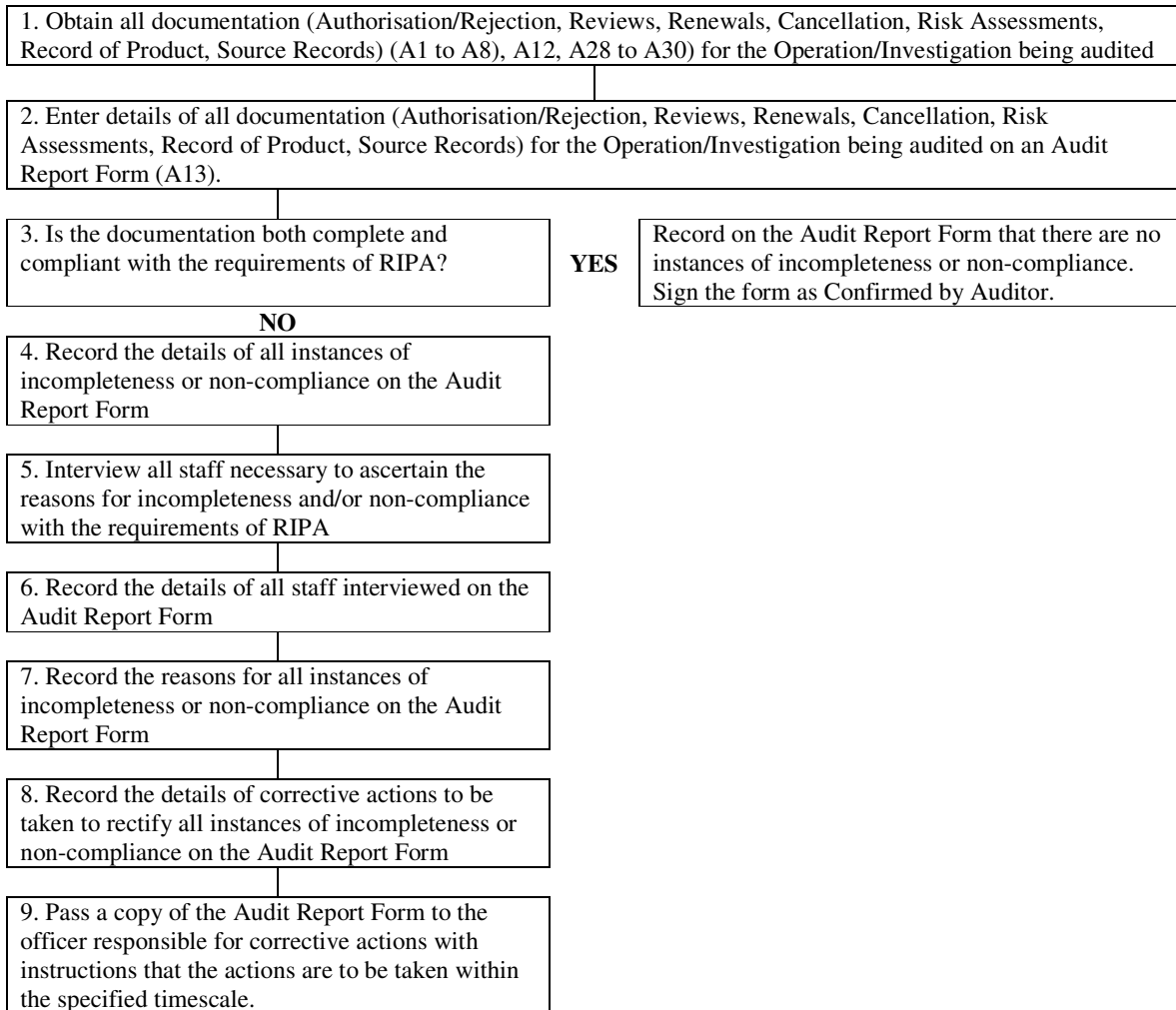
1. Enter the Operation Reference Number (taken from existing documentation of the operation).
2. Enter the Name of the person making the application
3. Give details of the Unit/Branch/Division of the Council where the Applicant works.
4. Enter details of the address where the person making the application works and other contact details.
5. Enter the name of the operation (if applicable) (taken from existing documentation of the operation).
6. Box 1. Provide details of why the CHIS activity should be cancelled. Examples may be: <ul style="list-style-type: none">• that the criteria under which the authorisation was granted/continued/renewed no longer apply, so use/conduct of the CHIS can no longer be justified• that the use/conduct of the CHIS which was authorised has come to an end and that cancellation is required as merely allowing the authorisation to lapse as a result of time expiring is not acceptable. The use of set phrases is not acceptable.
7. Box 2. Provide details of the value (if any) derived from the use/conduct of the CHIS which has been undertaken and from any information obtained as a result of the activity. N.B. It is important that full details are provided even where no value was derived from the use/conduct of the CHIS, as the negative result could serve to prevent fruitless operations taking place in future. The use of set phrases is not acceptable.
8. Ensure that the CHIS Source Record (A8) is updated with details of Risk Assessments, Tasking & Activities, Information Provided and Contacts.
9. Ensure that the Record of Product Obtained by Directed Surveillance form (A4) is updated if/as necessary.
10. Pass or take the CHIS Source Record, Record of Product and Cancellation Form to the officer who is to be asked to cancel the Authorisation.

U. Cancellation of Authorisation for Use or Conduct of a CHIS (A7).

1. Has the CHIS Source Record (A8) been adequately kept up to date?	NO	Return the form to the Applicant with instructions to complete/update the CHIS Source Record properly before re-presenting the form for Authorisation.
YES		
2. Is the CHIS a juvenile or vulnerable individual?	NO	Go to Step 4.
YES		
3. Are you the Chief Executive (or, in his absence, a Chief Officer)?	NO	Return the form to the Applicant with instructions to take it to the Chief Executive (or, in his absence, a Chief Officer) for authorisation.
YES		
4. Has the Record of Product Obtained by Directed Surveillance (A4) been adequately kept up to date?	NO	Return the form to the Applicant with instructions to complete/update the Record of Product Obtained by Directed Surveillance properly before re-presenting the form for Authorisation.
YES		
5. Does the Cancellation form contain the correct Operation Reference Number (taken from existing documentation of the operation).?	NO	Return the form to the Applicant with instructions to obtain the number before re-presenting the form for Cancellation.
YES		
6. Are the details of the Applicant and operation correctly completed?	NO	Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Cancellation.
YES		
7. Box 1. Is the information provided sufficiently detailed and free of set phrases?	NO	Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Cancellation.
YES		
8. Box 2. Is the information provided sufficiently detailed and free of set phrases?	NO	Return the form to the Applicant with instructions to complete the details properly before re-presenting the form for Cancellation.
YES		
9. Boxes 4 & 5. Enter the required dates and times.		
10. Box 3. Enter your details and Sign, & Date the form.		
11. Forward a copy of the form, securely , to the DP&ISO for placing in the Central Register. File the original in the Departmental Register (A24).		

V. Quarterly Departmental Audit.

Steps 1 to 9 inclusive are to be undertaken for every operation which was completed (whether authorised or rejected) during the quarter in question (assuming there were some).



Steps 10 to 12 inclusive are to be undertaken (iteratively if necessary) for every operation which was found to have instances of incompleteness or non-compliance.

10. Receive the returned Audit Report Form (A13), with details of the corrective action taken attached, from the officer responsible for corrective action.

11. Has the appropriate corrective action been taken?

YES

Record on the Audit Report Form the name of the officer and the date on which the action was taken. Sign the form as Confirmed by Auditor.

NO

12. Return the copy of the Audit Report Form to the officer responsible for corrective actions with details of the shortfall and instructions that the actions are to be taken properly.

Steps 13 to 16 inclusive are to be undertaken once all forms (if any) have been signed off as Confirmed by Auditor.

13. Were any operations completed during the period in question?

NO

Complete an Audit Summary Report (A14) recording the fact that there were no operations to audit. Go to Step 16

YES

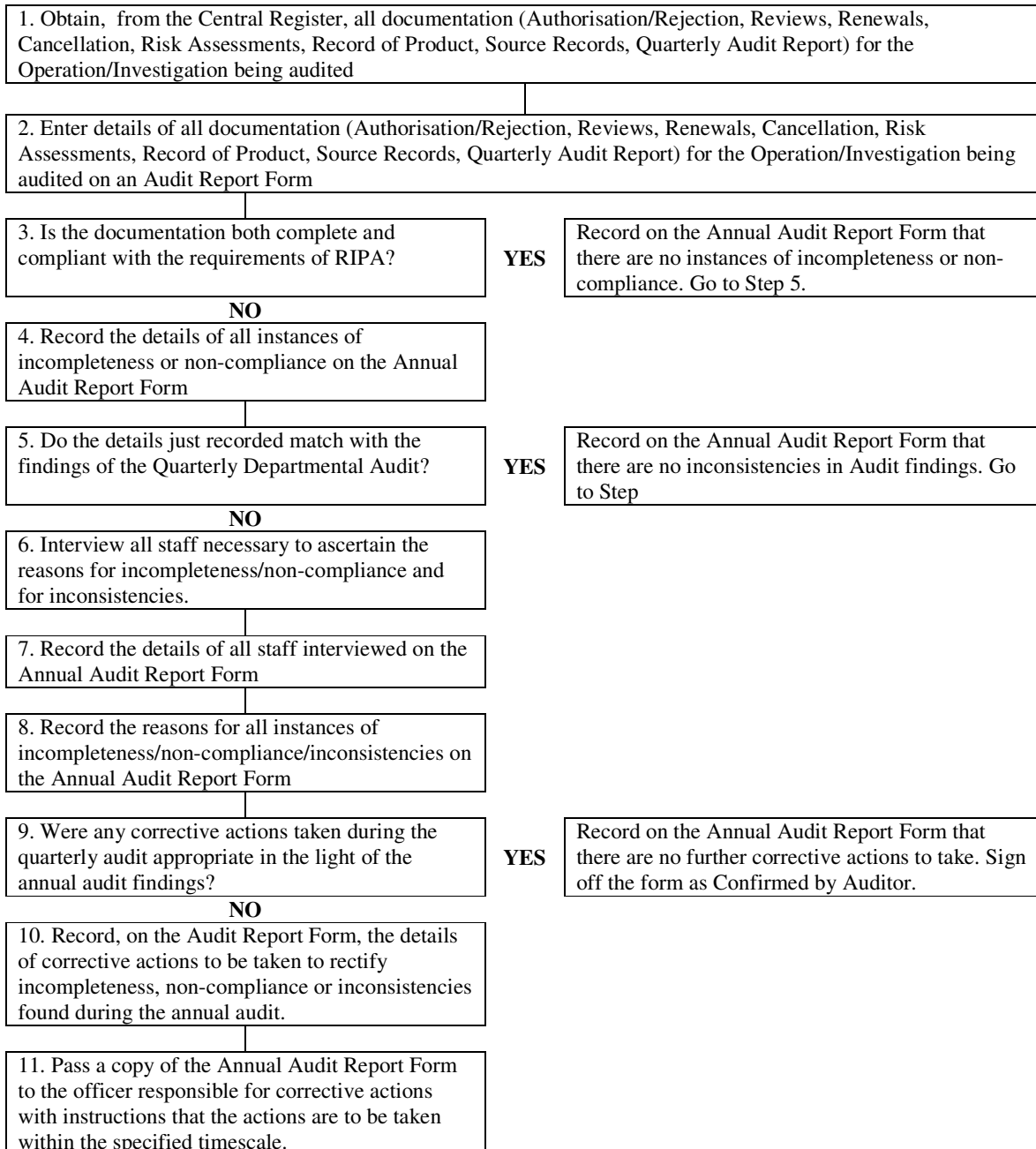
14. Complete the details at the head of each Audit Report Form of Name of Auditor, Date of Audit, Department/Service/Division Audited/ Period for which authorisations audited/ Report Number and page numbers.

15. Complete an Audit Summary Report (A14), summarising all of the individual Audit Report Forms.

16. Forward copies of all forms, **securely**, to the DP&ISO for placing in the Central Register. File the originals in the Departmental Register.

W. Annual Cross-Cutting Audit.

Steps 1 to 11 inclusive are to be undertaken by the DP&ISO for every operation which was completed (whether authorised or rejected) during the year in question (assuming there were some).



Steps 12 to 14 inclusive are to be undertaken (iteratively if necessary) by the DP&ISO for every operation which was found to have instances of incompleteness or non-compliance.

12. Receive the returned Annual Audit Report Form, with details of the corrective action taken attached, from the officer responsible for corrective action.	
13. Has the appropriate corrective action been taken?	YES Record on the Audit Report Form the name of the officer and the date on which the action was taken. Sign the form as Confirmed by Auditor.
NO	
14. Return the copy of the Audit Report Form to the officer responsible for corrective actions with details of the shortfall and instructions that the actions are to be taken properly.	

Steps 15 to 18 inclusive are to be undertaken by the DP&ISO once all forms (if any) have been signed off as Confirmed by Auditor.

15. Were any operations completed during the period in question?	NO Complete an Audit Summary Report recording the fact that there were no operations to audit. Go to Step 18
YES	
16. Complete the details at the head of each Audit Report Form of Name of Auditor, Date of Audit, Department/Service/Division Audited/ Period for which authorisations audited/ Report Number and page numbers.	
17. Complete an Audit Summary Report, summarising all of the individual Audit Report Forms.	
18. File all forms in the Central Register.	

X. Joint Operation Requested By Another Public Body.

N.B. These actions must only be undertaken by officers authorised to do so.

1. Receive request from another Public Body for assistance in an Operation/Investigation being run by the other Public Body (e.g. use of the Council's CCTV network to target a particular property; issue of a licence/permit to enable covert surveillance to take place).

2. Does the person making the approach have a copy of the authorisation for the operation?

YES

3. Does the copy of the authorisation include an Operation Reference Number which the Council can use to provide an adequate audit trail back to the authorisation should it be necessary?

YES

4. Record the details of the activity requested of the Council, together with the Operation Reference Number.

5. Forward a copy of the details recorded, **securely**, to the DP&ISO for placing in the Central Register. File the original in the Departmental Register.

NO

Reject the approach and ask the person making the approach to obtain a copy of the authorisation and make the request again.

NO

Reject the approach and ask the person making the approach to obtain a properly completed authorisation and make the request again.

Y. Allocation of Task(s) to a Private Organisation.

Steps 1 to 9 are to be undertaken before the Private Organisation takes any action in connection with the Authorised Operation/Investigation.

1. Document fully the activity that the Private Organisation is being asked to undertake.	
2. Document fully any activity that the Private Organisation must not undertake.	
3. Document fully the product that the Private Organisation is being asked to obtain.	
4. Document fully any product that the Private Organisation must not obtain.	
5. Discuss the above with the representative of the Private Organisation.	
6. Does the representative fully understand what the Private Organisation is being asked to do and what it must not do?	NO Go to Step 5.
YES	
7. Ask the representative to sign the documentation to signify full understanding of what the Private Organisation is being asked to do and what it must not do.	
8. Is the representative willing to sign as requested?	NO Suspend the Operation/Investigation until it can be re-planned to take place without the involvement of the Private Organisation or in a manner which the Private Organisation will agree to.
YES	
9. Forward a copy of the signed documentation, securely , to the DP&ISO for placing in the Central Register. File the original in the Departmental Register.	

Steps 10 to 25 are to be undertaken on each occasion when the Private Organisation reports back.

10. Obtain documentation from the Private Organisation of the activity that has been undertaken and the product which has been obtained.		
11. Is any of the activity documented outside of the agreed parameters?	NO	Go to Step 13.
YES		
12. Document fully the reasons why that activity was undertaken by the Private Organisation.		
13. Is any of the product documented outside of the agreed parameters?	NO	Go to Step 15.
YES		
14. Document fully the reasons why that product was obtained by the Private Organisation.		
15. Does the documentation of the product obtained agree with that handed over?	YES	Go to Step 20.
NO		
16. Record the difference(s) between the documentation and what was actually handed over.		
17. Ask the representative of the Private Organisation to explain the reasons for the difference(s).		
18. Does the representative provide a satisfactory explanation?	YES	Ask the representative to amend and re-present the documentation and/or hand over any missing product
NO		
19. Record the fact that no satisfactory explanation could be provided.		
20. Is there any reason to believe that the documentation provided hides any activity undertaken and/or product obtained which is outside of the agreed parameters?	NO	Go to Step 25.
YES		
21. Document the reason(s) why there is suspicion that something is being hidden.		
22. Ask the representative of the Private Organisation why the documentation presented arouses suspicion that something is being hidden.		
23. Does the representative agree that the suspicion has foundation?	YES	Ask the representative to amend and re-present the documentation.
NO		
24. Record the fact that suspicion still exists and no satisfactory explanation could be provided.		
25. Forward a copy of the signed documentation, securely , to the DP&ISO for placing in the Central Register. File the original in the Departmental Register.		