
Report to Audit & Scrutiny Committee

Date of Meeting: 30 October 2025

Subject: Regulation of Investigatory Powers (Scotland) Act 2000

Report by: Senior Manager Legal & Governance

1.0 Purpose

- 1.1. To provide an update to Committee on the Council's use of The Regulation of investigatory Powers (Scotland) Act 2000 (RIPSA) during the period March 2024 to April 2025.

2.0 Recommendation

- 2.1. That Committee notes the report, commenting and challenging as appropriate

3.0 Considerations (Background)

- 3.1. In limited circumstances, it may be necessary for Clackmannanshire Council employees, in the course of their duties, to make observations of a person in a covert manner (ie without that person's knowledge). Actions of this sort are potentially intrusive and may give rise to legal challenge. RIPSA was introduced to make sure that such surveillance was properly regulated and to ensure compliance with Human Rights legislation. There are statutory codes of practice which sit alongside the Act.
- 3.2. The Council has a RIPSA Policy in place, along with staff guidance and standard forms which require completion and authorisation by the Chief Executive or a Director who are the Council's Authorising Officers.
- 3.3. No authorisations were granted under RIPSA between March 2024 and April 2025. One application was submitted during this period but was not progressed.
- 3.4. The Council is subject to an inspection on its use of RIPSA powers by an inspector from the Investigatory Powers Commissioner's Office (IPCO) every three years. A remote inspection took place on 23 January 2025 with confirmation, on 25th April 2025, that our inspection response was well accepted and as such the next inspection is expected in January 2028. Ahead of the next inspection the Councils RIPSA policy, associated forms and guidance documentation will be reviewed.

- 3.5. Updated RIPSA training has been undertaken by Authorising Officers and the Coordinating Officer.

4.0 Sustainability Implications

- 4.1. None

5.0 Resource Implications

5.1. Financial Details

- 5.2. There are no financial implications - None Yes ☐

5.3. Staffing

6.0 Exempt Reports

- 6.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☐

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

- (1) **Our Priorities** (Please double click on the check box ☒)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☐
Our families; children and young people will have the best possible start in life ☐
Women and girls will be confident and aspirational, and achieve their full potential ☐
Our communities will be resilient and empowered so that they can thrive and flourish ☐

- (2) **Council Policies**

Complies with relevant Council Policies ☒

8.0 Impact Assessments

- 8.1 Have you attached the combined equalities impact assessment to ensure compliance with the public sector equality duty and fairer Scotland duty? (All EFSIAs also require to be published on the Council's website)

Yes ☐

8.2 If an impact assessment has not been undertaken you should explain why:

An Equality Impact Assessment (EQIA) and Fairer Scotland Duty Assessment have not been undertaken specifically for this report as it is aimed to provide information and is not a policy or strategy.

9.0 **Legality** Yes ☒ X

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☐

Author(s)

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Approved by

NAME	DESIGNATION	SIGNATURE
Chris Alliston	Strategic Director of Partnership and Performance	

