

**DERBYSHIRE COUNTY COUNCIL**

**NON RIPA SURVEILLANCE FORM**

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| **Reference Number** |  |

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| **Instructing Authority**  (name and address) | Derbyshire County Council  County Hall  Matlock  Derbyshire  DE4 3AG |

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| **Applicant**  (name and address) | Derbyshire County Council  County Hall  Matlock  Derbyshire  DE4 3AG |

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| **Investigating officer**  (name and business address) |  |

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| **Describe the purpose of the investigation and include the operation number (if applicable)** |
| Briefly outline the nature of the matter and how surveillance will contribute to the investigative strategy at this stage |

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| **Describe the type of surveillance including equipment to be used (eg camera, video recorder including make and model number) and expected duration** |
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| **Identity of the subject**  **of the surveillance**  (name and address) |  |
| **Explain why the surveillance is necessary** | |
| Explain why it is considered that surveillance is necessary ie because there are no other alternative overt means of checking the situation.  Note - Pursuant to the decision in C v The Police [2006], considering the use of surveillance on a former police officer who was pursuing a claim, the Tribunal held that it did not fall within RIPA 2000 as it was not being carried out in the course of a specific investigation. It was an ordinary function rather than a core function and so was not caught by section 26 RIPA 2000.    Surveillance can therefore be carried out by public authorities for this purpose on the basis is the not relevant to the detection or prevention of crime; it will not fall within RIPA.  Consideration must be given to the potential for challenge under Article 8 of Human Rights Act 1998. The surveillance is considered necessary to ascertain the veracity of information. Subject to appropriate measures and safeguards being in place, all surveillance proposed will be considered to be compliant with the claimant’s Article 8 Rights. | |

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| **Explain why the surveillance is proportionate to what it seeks to achieve** |
| It is considered that surveillance is:   * Proportionate in view of the allegations or information relating to the subject, potential value of any claim and the limited scope, duration and nature of the surveillance proposed (see above); * There is unlikely to be any collateral intrusion; * Safeguards will be put in place to minimise the potential of any excessive or disproportionate intrusion into the subject’s privacy. |

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| **Give details of any potential/collateral intrusion ie how intrusive might the surveillance be on persons other than the subject. Steps to minimise this risk** |
| e.g. the claimant is aged. It is believed there are no minor children and/or vulnerable adults in the household. Limited impact on spouse/partner. |

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| **Signed - Applicant** |  | **Date** |  |

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| **Signed – Authorising Officer** |  | **Date** |  |