

## RESPONSE TO ACTION POINT

<b>AUDIT COMMITTEE</b>	APPENDIX D
<b>8 FEBRUARY 2016</b>	PUBLIC

### Use of Regulation of Investigatory Powers Act 2000 (RIPA)

<p><b>ACTION POINT 9 November 2015</b> – To provide feedback to Audit Committee Members over the current guidance that the Care Quality Commission had provided on their website over the use of RIPA and how the guidance aligned with the Data Retention and Investigatory Powers Act 2014.</p>		
Contact Officer (s)	Ben Stevenson - Compliance Manager (Governance)	452387
Response:		
	<p>The Care Quality Commission (CQC) have issued two documents on the use of surveillance. One is aimed at the families of those receiving care, <a href="http://www.cqc.org.uk/sites/default/files/20150212_public_surveillance_leaflet_final.pdf">http://www.cqc.org.uk/sites/default/files/20150212_public_surveillance_leaflet_final.pdf</a>, and provides advice for a family member considering monitoring the care of their relative. RIPA would not apply to the family member although they should be aware of the impact on privacy. The second document, <a href="http://www.cqc.org.uk/sites/default/files/20150617_provider_surveillance_information.pdf">http://www.cqc.org.uk/sites/default/files/20150617_provider_surveillance_information.pdf</a>, does relate to service providers who may be working on our behalf or any work we undertake with those receiving care. It does define what is covert surveillance is and that RIPA may apply. As part of our communications plan to promote RIPA awareness, we will include reference to the CQC and that any consideration of surveillance should refer to the RIPA policy.</p>	

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