

<b>Subject:</b>	<b>POLICY ON THE USE OF SOCIAL MEDIA IN INVESTIGATIONS OF CRIMINAL OFFENCES</b>
<b>Meeting and Date:</b>	<b>Cabinet – 11 January 2021</b>
<b>Report of:</b>	<b>Diane Croucher, Head of Regulatory Services</b>
<b>Portfolio Holder:</b>	<b>Councillor Nicholas Kenton, Portfolio Holder for Planning and Regulatory Services</b>
<b>Decision Type:</b>	<b>Non-Key</b>
<b>Classification:</b>	<b>Unrestricted</b>
<b>Purpose of the report:</b>	To seek approval for the adoption of a Social Media Investigations Policy.
<b>Recommendation:</b>	That Cabinet approves: <ol style="list-style-type: none"> <li>1. Adoption of this policy.</li> <li>2. Any approval of future minor amendments to the policy to be delegated to the Head of Regulatory Services, in consultation with the Portfolio Holder for Planning and Regulatory Services.</li> </ol>

## 1. Summary

- 1.1 To set up and adopt a Council policy relating to the use of social media platforms when investigating criminal offences.

## 2. Introduction and Background

- 2.1 Social media is the collective term for the current set of online tools, websites and interactive media enabling users to interact with each other in various ways. This includes sharing information, opinions, knowledge and interests in a variety of forms.

- 2.2 The number of different social media tools is vast, and growing every year. Some of the larger platforms include:

- Facebook
- Twitter
- LinkedIn
- YouTube
- Instagram

- 2.3 As the digital world develops so do methods of criminality. The use of social media platforms has become an essential investigatory tool for enforcement agencies in gathering of evidence.

- 2.4 The Council's [Regulation of Investigatory Powers Act Policy](#) setting out the wider use of these powers by the Council was approved in 2018.

- 2.5 The aim of a specific policy relating to social media is to provide greater clarity

regarding concerns existing within the sphere of social media investigation. This is a continuation and clarification on the [Regulation of Investigatory Powers Act Policy](#) and supports compliance with the [RIPA Act 2000](#) thereby ensuring employees know the procedures and processes they must abide by.

**3. Identification of Options**

3.1 Option 1 - Adopt and approve the policy

3.2 Option 2 - Reject the proposed policy

**4. Evaluation of Options**

4.1 Option 1 - Is the preferred option. This provides additional governance and creates a consistent approach relating to the use of social media for investigation purposes across the organisation.

4.2 Option 2 - Risks employees incorrect use of social media. This could leave DDC at risk of breaching data protection legislation, large fines, negatively impact on our reputation and undermine prosecutions

**5. Resource Implications**

5.1 Financial – all implications will be met from existing resources

5.2 Personnel - all implications will be met from existing resources.

5.3 Other – all implications will be met from existing resources.

**6. Climate Change and Environmental Implications**

6.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

**7. Corporate Implications**

7.1 Comment from the Director of Finance: Accountancy have been consulted on the financial matters in this report and there are no financial implications therefore we have no further comments to add. (LS)

7.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make

7.3 Comment from the Equalities Officer: This report does not specifically highlight any equality implications, however in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/section/149>

7.4 Other Officers (as appropriate):

**8. Appendices**

Appendix 1 – The Use of Social Media in Investigations of Criminal Offences Policy

**9. Background Papers**

Dover District Council RIPA policy 2018

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