

Regulation of Investigatory Powers Act (RIPA)

Annual Update



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RIPA

This is the law governing the use of surveillance techniques by public authorities, including local authorities.

RIPA requires that when public authorities need to use covert techniques to obtain private information about someone, they only do so if surveillance is necessary, proportionate, and compatible with human rights.

Typically, this relates to suspected criminal activity that is likely to result in a custodial sentence of six months or more.

Middlesbrough Council will not undertake any activity defined with RIPA without prior authorisation in the legally prescribed form.



Roles and Responsibilities...

The Senior Responsible Officer (SRO) has overall responsibility for overt and covert surveillance, including:

- creation, communication and review of this policy;
- appointing the CCTV Single Point of Contact;
- appointing the Coordinating Officer (Auditor) for covert surveillance;
- ensuring the availability of appropriate authorisers for covert surveillance;
- raising corporate awareness of the policy and proper surveillance practices;
- assessing corporate compliance with this policy;
- providing professional guidance on all matters relating to surveillance;
- engagement with the Surveillance Camera Commissioner and the IPCO; and overseeing the implementation of any post-inspection action plans recommended or approved by the IPCO.

Roles and Responsibilities

Directors and Heads of Service have a general responsibility to ensure compliance with operations as detailed in the Surveillance Policy, this includes taking reasonable steps to protect health & safety including any necessary risk assessments.

There are a number of key roles in the process of approving and monitoring applications for both overt and covert surveillance.

Depending on whether the surveillance is 'overt' or 'covert' will depend on the level of authorisation.



Surveillance Key Roles

Overt Surveillance

Surveillance



- **Senior Responsible Officer (SRO)** Ann-Marie Johnstone
Head of Policy Governance & Information
- **CCTV Single Point of Contact (SPoC)** John Kirk, Service Delivery Manager
- **Coordinating Officer (Auditor)** Leanne Hamer, Governance and Information Manager, Deputy: Michael Brearley, Data Protection Officer (for compliance audit purposes only)
- **Authorising Officers** Richard Horniman, Director of Regeneration and Culture, Judith Hedgley, Head of Public Protection, Claire Holt, Head of Strategic Housing
- **Authorising Officer for Juvenile / Vulnerable Adult CHIS**, or where confidential information or matters subject to legal privilege are likely to be acquired through either directed surveillance or by a CHIS, Erik Scollay, Chief Executive
- **Designated person**, Judith Hedgley, Head of Public Protection

Covert



Role of the (IPCO) Investigatory Powers Commissioner's Office

Overseen by the Investigatory Powers Commissioner (Sir Brian Leveson), the IPCO was created under the IPA to provide independent oversight and authorisation of the use of investigatory powers by intelligence agencies, police forces and other public authorities.

It was agreed with the IPCO following their last inspection in 2020 that we continue to maintain an overarching Surveillance Policy which covers CCTV and RIPA. The IPCO conducts risk-based reviews of the application of RIPA powers. The Council completed submission of its compliance in January 2026.

Annual review

An annual Surveillance Report and Policy are produced to report on the surveillance activity of the Council ensuring that it complies with its strategic priorities and statutory obligations, that they are lawful and that due regard to human rights and to data protection.

The Council always looks to methods to gather information that do not require covert surveillance to be undertaken, in order to minimise the use of surveillance powers therefore activity remains low.



Activity

