

**Safer Stockport Partnership**



# OVERARCHING INFORMATION SHARING PROTOCOL

November 2020

## 1. Introduction

1.1 The Safer Stockport Partnership Board was established in 1998 as Stockport's statutory Community Safety Partnership. It is jointly chaired by Stockport Council and Greater Manchester Police and includes a range of local public service representatives who work together alongside voluntary and community organisations to reduce crime, anti-social behaviour, re-offending and substance misuse. This document is intended to establish an overarching information sharing protocol to facilitate information sharing between responsible authorities for community safety in Stockport. This protocol should be agreed by all responsible authorities, statutory agencies and other groups, providing community safety.

1.2 Membership of the board currently consists of the following organisations:

- Greater Manchester Police – Stockport Division
- Stockport Council
- National Probation Service
- Greater Manchester Fire and Rescue Service
- Cheshire and Greater Manchester Community Rehabilitation Company
- Stockport NHS Clinical Commissioning Group
- Stockport Homes

## 2. Purpose

2.1 The purpose of this information sharing protocol is to facilitate the secure sharing of information between partner agencies in the Safer Stockport partnership, govern the secure use and management of information and enable agencies to meet their legislative obligations effectively.

2.2 The exchange of information, other than depersonalised information, between the partners, will help the partners comply with statutory duties and to work together to develop and implement a strategy and tactics for reducing crime and disorder, anti-social behaviour and substance misuse. This is further detailed in [The Safer Stockport Partnership Plan` 2018/21](#)

2.3 The Safer Stockport Partnership has five strategic priorities which are further detailed in Appendix 8. Underlying these priorities are various targeted initiatives and Partnership Delivery Groups. Some of these groups are strategic and are unlikely to discuss individual level information, whilst other groups will systematically share individual level information on a regular basis.

2.4 Where regular individual level information sharing takes place and where appropriate, specific information sharing agreements between the parties are either in place or will be developed where they are not.

2.5 This agreement is not intended to address information sharing arrangements relating to the current integrated service arrangements incorporating MASSH and ASPIRE as they have their own established arrangements and procedures.

### **3. Who will be sharing information?**

3.1 Partners who are required to share information are named as the responsible authorities in the Crime and Disorder Act 1998, as amended in the Police and Justice Act 2006 and the Policing and Crime Act 2009. These are the Police, all local authorities, Fire and Rescue Service, Clinical Commissioning Groups and Probation Trust.

3.2 Co-operating bodies under the Act may be asked to share information. These are School and college Governing bodies, Registered Social Landlords and agencies appropriate to the location or circumstances.

3.3 Various other bodies are named as invited participants under the Crime and Disorder Act 1998 and may also be asked to share data for crime and disorder purposes.

3.4 Reasonable attempts should be made to ensure that voluntary organisations participating in information sharing in accordance with this protocol have all of their information sharing policies in place.

### **4. Legal basis for sharing information**

This protocol has been developed to achieve the purposes/objective as set out in Section 2. It is the intention that all aspects of data sharing and disclosure relating to this protocol shall comply with relevant legislation that protects personal data. The table in Appendix 1 identifies statutory gateways for the sharing of personal data which apply to the partner agencies for the purpose of this protocol.

### **5. What is to be shared?**

5.1 The 2010 Home Office 'Information Sharing for Community Safety Guidance' document (<https://www.gov.uk/government/publications/information-sharing-for-community-safety>) outlines the benefits of Community Safety partners sharing information.

- 5.2 Shared information will usually include a location reference, information about the nature of the problem, and, where relevant, names and address of offenders, victims or witnesses.
- 5.3 Some of this information will be Special Category Personal Data as defined by the General Data Protection Regulation ('GDPR') and the Data Protection Act 2018 (Guidance on the Act is available at: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>) However, sharing of this Special Category Personal Data is permitted in appropriate circumstances under legislation as defined in Appendix 1.
- 5.4 In order to share appropriate information between partners there must be a lawful and defined and justifiable purpose(s) which supports the effective delivery of a policy or service that respects people's expectations about the privacy and confidentiality of their personal information but also considers the consequences of their failure to act. Appendix 2 will assist managers/Designated Persons through a process to assess the impact and appropriateness of information sharing.
- 5.5 Signatories to this Protocol understand that personal data will principally be shared at multi-agency meetings. However, there will be other ad-hoc arrangements for sharing information. For example there may be meetings between members of staff from different agencies sharing information about a common case in order to build a foundation of accurate knowledge and evidence, to minimise the risk of harm to the community, whilst allowing proper management of the case. The intention of this Protocol, and the safeguards to be followed described within it, is to cover all information sharing.
- 5.6 If any personal data relates to an ongoing investigation or prosecution by any of the agencies then consultation must take place with the investigating officer and Crown prosecution Service as the matter will be sub-judice. This will ensure that disclosure will not adversely prejudice the outcome of the matter.
- 5.7 Further guidance on when to share information can be found in the 'Key questions for Information Sharing' flowchart in Appendix 3 and the seven golden rules for information sharing can be found in Appendix 4

## **6. Disclosure and consent**

- 6.1 Partner organisations must take reasonable steps to tell service users what type of information about them may be shared, who it may be shared with, and the likely consequences of sharing. If it is appropriate in the circumstances to seek the service users consent and the service user agrees to this sharing, they will have given informed consent. There is a consent form in Appendix 5 that can be used to record that consent to share the information has been given by the service user.

6.2 If the information is considered confidential or restricted and the service user does not consent to sharing, or to seek consent would not be appropriate, it can only be shared following a risk assessment which considers the impact of not sharing on public safety, a service user's welfare, or a court order or statute requires or permits sharing without consent. Where consent is withheld or withdrawn the guidance highlighted in Section 5.1 emphasises how decisions may be made about sharing information through specific legal powers and application of principles such as proportionality. The questions listed at Appendix 2 will help assess the impact on service users of decisions relating to information sharing.

6.3 The General Data Protection Regulation and the Data Protection Act 2018 allow for disclosure where it would be in the public interest but when consent has not been sought or has been withheld. This includes:

- Prevention of crime
- Prevention of disorder
- Protection of public safety
- Protection of rights and freedoms of all
- Protection of children, young people and vulnerable adults.

6.4 If informed consent has not been sought or has been sought and withheld, the agency must consider the public interest to justify disclosure. This consideration must identify a condition for processing in accordance with Article 6 of the General Data Protection Regulation and Article 9 if appropriate. A key factor in deciding whether or not to disclose information is proportionality i.e. is the proposed disclosure a proportionate response to the need to protect the potential victim? The amount of information disclosed and the number of people to whom it is disclosed should be no more than is necessary.

## **7. Arrangement for Information Sharing within multi-agency meetings**

7.1 Using the definitions in 7.4 of this Protocol the chair should designate the level of confidentiality appropriate to the information being shared at the outset and, where relevant, provide a signing-in sheet (Appendix 6) which states the data handling and sharing requirements relevant to the designation. If used the chair should retain a copy of this signing-in sheet.

7.2 The parties to this Protocol understand that in keeping with government initiatives to invite a wider spectrum of society to assist the relevant authorities to assist the Crime and Disorder Act 1998, it is likely that there will be individuals present at certain meetings who are not representing an organisation which is a signatory to this protocol. To allow for this, the signing-in sheet should state that the signatory agrees to abide by all the terms of this Protocol (see Appendix 6).

7.3 It is good practice to use the Government protective marking scheme. This sets out levels of confidentiality and appropriate security measures. 'Protective Marking' is the method by which the originator of an asset (that is all material assets i.e. papers, drawings, images, disks and all forms of electronic data records), indicates to others, the levels of protection required when handling the asset in question, in terms of sensitivity, security, storage, movement both within the guidance and outside the originator's own department or force and its ultimate method of disposal.

7.4 The levels of restriction are:

**Confidential** – The effects of releasing information marked as Confidential include considerable infringement on personal liberties, material damage to diplomatic relations, or to seriously disrupt day-to-day life in the country.

**Restricted** – Information marked as Restricted is at a level where the release of the material will have effects such as significant distress to individuals, adversely affecting the effectiveness of military operations, or to compromise law enforcement

**Protect** – Such information will cause distress to individuals, cause financial loss or improper gain, prejudice the investigation or facilitate the commission of a crime or disadvantage government in commercial or policy negotiations with others.

## **8. Process for information sharing outside meetings**

8.1 This Protocol has been formulated to facilitate the exchange of information between partners. It is, however, incumbent on all partners to recognise that any information shared must be justified on the merits of each case.

8.2 Partners' sharing information should make clear who the information can be shared with, that information should only be used for the purpose requested and that it should not be shared further without consent of the information owner.

8.3 Any data should be shared and stored in accordance with the relevant legislation. In particular where the data to be shared is personal, a secure transmission system should be used, such as secure email or courier or hosted on a secure system shared by partners (appendix 7).

8.4 Any information shared should only be kept as long as it is necessary and then confidentially destroyed by all signatories.

8.5 Appendices 2 and 3 contain guidance to help ensure that data is lawfully shared.

## **9. Nominated representatives**

9.1 Each Partner Organisation shall have a Designated Officer who will facilitate information sharing where issues arise. The Designated Officer should be the Officer who has responsibility for Information Governance/Data Protection issues within the organisation (e.g. Chief Executive, Data Protection Officer or Serious Information Risk Officer)

9.2 Any disputes or disagreements between parties, including why one agency decides not to share information with another, shall be resolved by discussion between the Designated Officers, if at all possible, or between the heads of each agency.

## **10. Data Controller Responsibilities**

10.1 Each Partner Organisation is a separate Controller as defined in the GDPR and is responsible for determining the purposes for which and the manner in which any Personal Data are or are to be processed. Where there are joint controllers as per Article 26 of the GDPR both controllers jointly will determine the purposes and means of processing.

10.2 Data Controllers must ensure their own compliance with the GDPR including maintaining their registration and paying their data protection fee to the Information Commissioners Office, unless they are exempt.

## **11. Agents and Sub-contractors**

11.1 Each Partner Organisation shall ensure its agents and sub-contractors comply with the provisions of the Protocol

11.2 Any failure by a Partner Organisation to comply with 11.1 shall be handled in accordance with Section 13 below.

## **12. Complaints**

12.1 Each partner Organisation will deal with the complaints in accordance with their own procedures, which will ensure that:

- Service users are aware that they can complain and of how to go about it;
- Complaints are acknowledged promptly in writing;
- The complaint is investigated fairly and thoroughly;
- Service users are given an appropriate written response;
- If appropriate the appeals procedures are explained to the service user.

12.2 If two or more Partner Organisations receive a complaint about the same matters, they should investigate and respond to the complaint jointly.

12.3 If a Partner Organisation receiving a complaint believes another Partner Organisation may be responsible, wholly or partly, for the matters complained of, it should notify the other organisation and the organisations should investigate and respond to the complaint jointly.

### **13. Non-Compliance and Partner Disagreement**

13.1 In the event of a suspected failure within their organisation to comply with this Protocol, Partner Organisations will ensure that an adequate investigation is carried out and recorded. If the Partner Organisation finds there has been a failure it will ensure that:

- Necessary remedial action is taken promptly;
- Service users affected by the failure are notified of it, the likely consequences, and any remedial action.

13.2 If one Partner Organisation believes another has failed to comply with this Protocol it should notify the other Partner Organisation in writing giving full details. The other Partner Organisation should then investigate the alleged failure. If it finds there was a failure, it should take the steps set out above. If it finds there was no failure it should notify the first Partner Organisation in writing giving its reasons.

13.3 Where it is clear that a partner organisation is not complying with this Protocol, other Partners may decide to stop sharing information until the issues are resolved.

13.4 Partner Organisations will make every effort to resolve disagreements between them about personal information use and sharing. However, they recognise that ultimately each organisation must exercise its own discretion in interpreting and applying this Protocol.

13.5 Nominated representatives should ensure that they are notified at an early stage of any suspected or alleged failures in compliance or partner disagreements relating to their Partner Organisation.

### **14. Retention and Disposal**

14.1 Partners must comply with their own agencies retention and disposal policies.

### **15. Access to Information**

15.1 Partners must have in place policies to deal with people's right to access under the Freedom of Information (FOI) Act 2000, the Environmental Information Regulations 2004, The General Data Protection Regulation and the Data Protection Act 2018.

## **16. Monitoring and Review**

16.1 The Safer Stockport Partnership Board will monitor and review the contents and implementation of this Information Sharing Protocol. The review will have regard to:

- Changes in the relevant law and statutory or other government or national guidance;
- Service user and staff opinions, concerns and complaints;
- Failures in Compliance and disagreements between Partner Organisations;
- Any other relevant information.

## **17. Effective date**

17.1 This protocol is effective from an agreed common implementation date of May 2021.

17.2 This protocol will be reviewed on an annual basis by the Designated Officers and Information Governance Leads for each organisation. Any minor amendments that are identified during the reviews will be agreed between the Designated Officers and Information Governance Leads.

17.3 If any review identifies major changes to the operation of this protocol, any major amendments will need to be agreed by the Safer Stockport Partnership Board

## APPENDIX 1 – LEGAL BASIS FOR SHARING INFORMATION

The following table identifies statutory gateways for the sharing of personal data which apply to the partner agencies for the purpose of this protocol:

Legislation	Organisation
<p><b><u>Anti-Social behaviour Act 2003</u></b></p> <p>Anti-social Behaviour is a Home Office priority as it impinges on the quality of life for communities. Behaviours that fall into this category include vandalism, graffiti, youth nuisance, abandoned cars, noisy neighbours and litter, including drug and alcohol related paraphernalia.</p>	<ul style="list-style-type: none"> <li>• Police</li> <li>• Health</li> <li>• Local Authority</li> <li>• Probation Trust</li> <li>• Local Probation Board in England &amp; Wales</li> <li>• A person registered under section 1 of the Housing Act 1996 as a social landlord</li> </ul>
<p><b><u>Care Act 2014</u></b></p> <p>Clause 45 of the Care Act focuses on 'supply of information'. This relates to the responsibilities of others to comply with requests for information from the safeguarding adults board.</p> <p>The Care Act emphasises the need to share information about safeguarding concerns at an early stage; information-sharing agreements or protocols should be in place.</p> <p>Managers in the local authority and its partner agencies are responsible for ensuring that information shared about individuals alleged to have caused harm is in accordance with human rights, data protection and confidentiality requirements.</p>	<ul style="list-style-type: none"> <li>• Local Authority</li> </ul>
<p><b><u>Children Act 1989</u></b></p> <p>Sections 17 and 47 of the Children Act 1989 place a duty on local authorities to provide services for children in need and make enquiries about any child in their area who</p>	<ul style="list-style-type: none"> <li>• Local Authority</li> <li>• Clinical Commissioning Group</li> </ul>

<p>they have reason to believe may be at risk of significant harm.</p> <p>Sections 17 and 47 also enable the local authority to request help from other local authorities, and NHS bodies and places an obligation on these authorities to cooperate.</p> <p>Part 1 Schedule 2 Para. 1 Requires local authorities and professionals in other sectors to take reasonable steps to identify children in need.</p> <p>Para 4 to prevent children from suffering ill treatment or neglect.</p>	
<p><b><u>Children Act 2004</u></b></p> <p>Section 10 of the Act places a duty on each 'Children's Services Authority' to make arrangements to promote co-operation between itself and relevant partner agencies to improve the well-being of children in their area in relation to:</p> <ul style="list-style-type: none"> <li>• Physical and mental health, and emotional well-being</li> <li>• Protection from harm and neglect</li> <li>• Education, training and recreation</li> <li>• Making a positive contribution to society</li> <li>• Social and economic well-being</li> </ul> <p>Section 11 of the Act places a duty on key people and bodies to make arrangements to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children.</p>	<ul style="list-style-type: none"> <li>• Local Authority</li> <li>• Clinical Commissioning Group</li> <li>• Youth Offending Team</li> <li>• Health Authority</li> <li>• Providers under s114 Learning and Skills Act</li> </ul>
<p><b><u>Common Law</u></b></p> <p>Law developed by custom and general agreement which is not enshrined in statute but</p>	<ul style="list-style-type: none"> <li>• Police</li> </ul>

<p>nevertheless gives the police a duty to investigate crimes.</p>	
<p><b><u>Crime and Disorder Act 1998 s. 17 and 115(1)</u></b></p> <p>Section 17 – duty of each authority to exercise its functions with due regard to the likely effect of the exercise of those functions, and the need to do all that it reasonably can, to prevent crime and disorder in its area.</p> <p>Any person who, apart from this subsection, would not have power to disclose information-</p> <p>(a) to a relevant authority; or</p> <p>(b) to a person acting on behalf of such an authority, shall have the power to do so in any case where the disclosure is necessary or expedient for the purposes of any provision of this Act</p>	<ul style="list-style-type: none"> <li>• Police</li> <li>• Police Authority</li> <li>• Health Authority</li> <li>• Clinical Commissioning Group</li> <li>• Probation Trust</li> <li>• Local Probation Board in England and Wales</li> <li>• A person registered under Section 1 of the Housing Act 1996 as a social landlord</li> </ul>
<p><b><u>Criminal Justice Act 2003</u></b></p> <p>Section 325 of this Act details the arrangements for assessing risk posed by different offenders. The “responsible authority “ in relation to any area, means the chief officer of police, the local probation board and the Minister of the Crown exercising functions in relation to prisons, acting jointly.</p> <p>The responsible authority must establish arrangements for the purpose of assessing and managing the risks posed in that area by relevant sexual and violent offenders; and other persons who by reason of offences committed by them are considered by the responsible authority to be persons</p>	<ul style="list-style-type: none"> <li>• Youth Offending Team</li> <li>• Ministers of the Crown (exercising functions in relation to social security, child support, war pensions, employment and training)</li> <li>• Local Education Authority</li> <li>• Social Services</li> <li>• Registered Social Landlords</li> <li>• Health Authority or Strategic Health Authority</li> <li>• Clinical Commissioning Group</li> <li>•</li> </ul>

<p>who may cause serious harm to the public (this includes children).</p> <p>In establishing those arrangements, the responsible authority must act in co-operation. Co-operation may include the exchange of information.</p>	
<p><b><u>Domestic Violence, Victim &amp; Witnesses Act 2004</u></b></p> <p>Act gives specific powers and guidance for those dealing with offenders in breach of restraining orders or non-molestation orders.</p>	<ul style="list-style-type: none"> <li>• Local Authority</li> <li>• Police</li> <li>• Social Services</li> </ul>
<p><b><u>Education Act 2002</u></b></p> <p>The section 11 duty of the Children Act 2004 mirrors the duty placed by section 175 of the Education Act 2002 on LEAs and the governing bodies of both maintained schools and further education institutions to make arrangements to carry out their functions with a view to safeguarding and promoting the welfare of children and follow the guidance in Safeguarding Children in Education (DfES 2004).</p>	<ul style="list-style-type: none"> <li>• Local Authority</li> <li>• Schools</li> <li>• Further Education Colleges</li> </ul>
<p><b><u>The Health and Social Care (Safety and Quality) Act 2015</u></b></p> <p>Section 2 – Consistent identifiers – a requirement for health and adult social care organisations to use a consistent identifier (the NHS Number) for data sharing associated with facilitating care for an individual</p> <p>Section 3 – A legal duty requiring health and adult social care bodies to share information where this will facilitate care for an individual.</p>	<ul style="list-style-type: none"> <li>• Local Authority</li> <li>• Health Authority</li> <li>• CCG</li> </ul>
<p><b><u>Housing Act 1996</u></b></p> <p>A local Housing Corporation may for any purpose connected with the</p>	<ul style="list-style-type: none"> <li>• Local Housing Authority</li> </ul>

<p>discharge of any of its functions in relation to registered social landlords serve notice on a person requiring him/her to supply information as specified in the notice or to supply any document as specified within the notice.</p>	
<p><b><u>Immigration and Asylum Act 1999</u></b></p> <p>Section 20 provides for a range of information sharing for the purposes of the Secretary of State:</p> <ul style="list-style-type: none"> <li>• to undertake the administration of immigration controls to detect or prevent criminal offences under the Immigration Act</li> <li>• to undertake the provision of support for asylum seekers and their dependents.</li> </ul>	<ul style="list-style-type: none"> <li>• Immigration Service</li> <li>• Police Service</li> </ul>
<p><b><u>Local Authority Social Services Act 1970 as amended by the Health &amp; Social Care (Community Health &amp; Standards) Act 2003</u></b></p> <p>Relates to the requirements for a NHS Foundation Trust to disclose such information as the Secretary of State specifies to the regulator</p>	<ul style="list-style-type: none"> <li>• Local Authority</li> <li>• Clinical Commissioning Group</li> <li>• NHS Trust</li> </ul>
<p><b><u>Local Government Act 1972</u></b></p> <p>Section 111(1) – a local authority shall have the power to do anything which is calculated to facilitate, or is conducive to or incidental to, the discharge of any of their statutory functions</p>	<ul style="list-style-type: none"> <li>• Local authorities</li> </ul>
<p><b><u>Local Government Act 2000</u></b></p> <p>The main power specific to local authorities is section 2 Local Government Act 2000 - the power of "well-being". This enables LA's to do "anything" to promote social, economic, or environmental well-being in their area provided the act</p>	<ul style="list-style-type: none"> <li>• Local authorities</li> </ul>

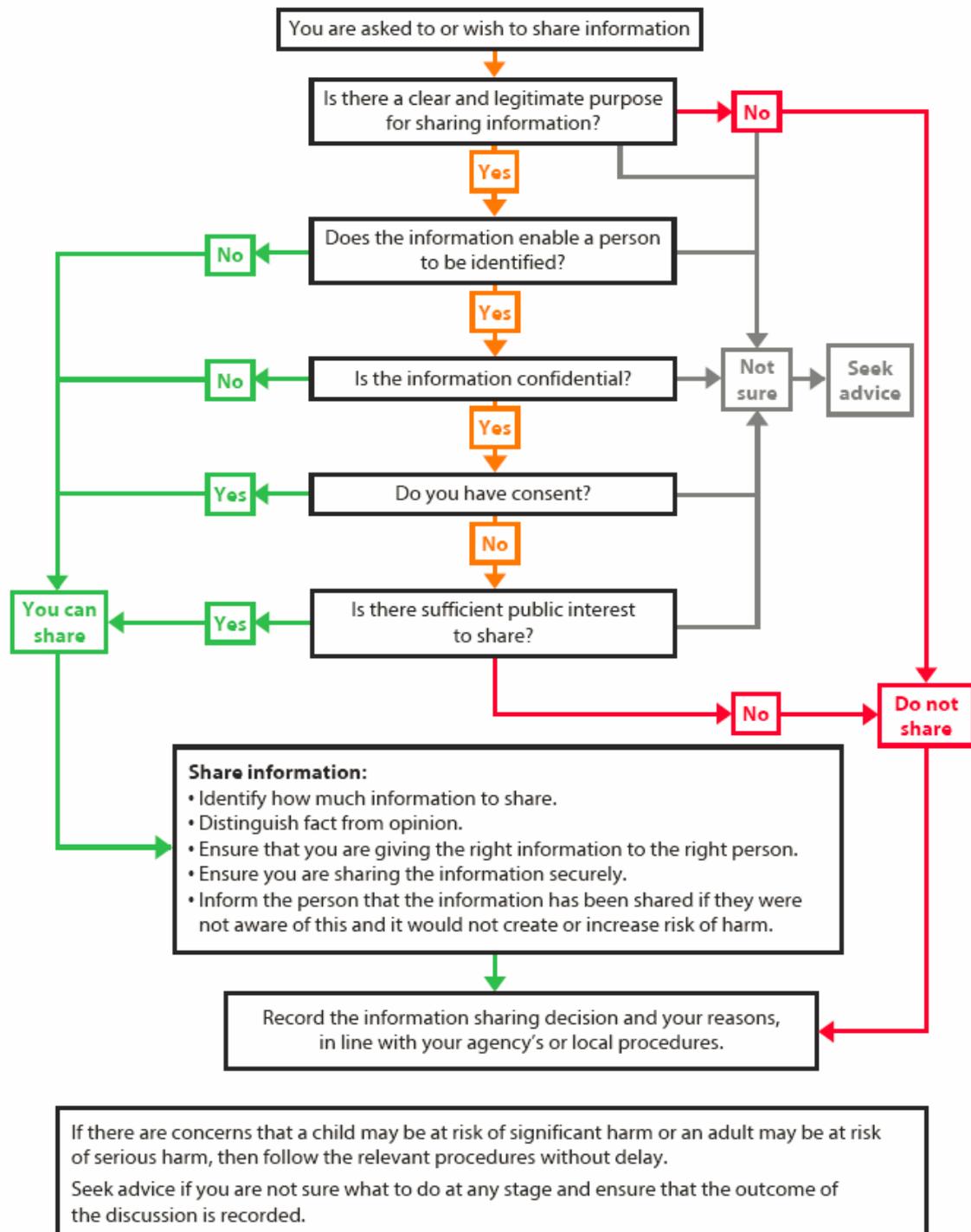
<p>is not specifically forbidden by other statute (including the Data Protection Act) and that in carrying out the act it gives regard to its own community strategy.</p> <p>Section 111 Local Government Act enables local authorities to do anything conducive or incidental to the discharge of any of its functions, providing it has specific statutory authority to carry out those main functions in the first place.</p>	
<p><b><u>Mental Capacity Act 2005</u></b></p> <p>Legislation that complements the framework relating to persons who lack capacity, particularly where decision-making needs to be made on their behalf, both where mental capacity has been lost and where the incapacitating condition has been present since birth.</p>	<ul style="list-style-type: none"> <li>• Local authority</li> <li>• Clinical Commissioning Group</li> <li>• Health Authority</li> </ul>
<p><b><u>National Health Service Act 1977</u></b></p> <p>To improve the physical and mental health of the population.</p>	<ul style="list-style-type: none"> <li>• Agencies carrying out health service functions</li> </ul>
<p><b><u>National Health Services Act 2006</u></b></p> <p>Section 82 – in exercising their respective functions NHS bodies and local authorities must co-operate with one another to secure and advance the health and welfare of the people of England and Wales.</p> <p>Section 201(3)(d) – a disclosure of information may be made if it is for the purposes of criminal investigations or proceedings.</p> <p>Section 201(6) – information to which this section applies may be disclosed in accordance with Section 201(3) despite any obligation of confidence that would</p>	<ul style="list-style-type: none"> <li>• Local Authorities</li> <li>• Health Authority</li> <li>• CCG</li> </ul>

<p>otherwise prohibit or restrict the disclosure.</p>	
<p><b><u>Police Act 1996</u></b></p> <p>The Police Act gives a Constable certain powers. The Police have a general common law power to disclose information for policing purposes, unusually for one or more of the following purposes:</p> <ul style="list-style-type: none"> <li>• prevention and detection of crime</li> <li>• apprehension and prosecution of offenders</li> <li>• protection of life and property and assisting the public</li> </ul> <p>This allows the disclosure of identifiable information on a case-by-case basis for these purposes subject to appropriate safeguards.</p>	<ul style="list-style-type: none"> <li>• Police</li> </ul>
<p><b><u>Police and Justice Act 2006</u></b></p> <p>Provides a statutory duty to disclose non personal data to other Section 115 relevant authorities and goes on to specifically exclude any personal data from the duty to disclose.</p> <p>This as legislated for in SI 1831 of 2007 The Crime and Disorder Act (Prescribed Information) Regulations 2007</p>	<ul style="list-style-type: none"> <li>• Police</li> </ul>
<p><b><u>Protection from Harassment Act 1997</u></b></p> <p>Gives specific powers and guidance in respect of harassment and outing or seeking to put another in fear of violence. It also includes breaches of civil injunctions or restraining orders.</p>	<ul style="list-style-type: none"> <li>• Local Authority</li> <li>• Police</li> <li>• Probation</li> </ul>

## APPENDIX 2 – DO WE NEED THIS INFORMATION?

1. Why do I want the information? Is sharing this information in the best interests of the victim or offender?
2. Is there a sufficient need to know? If the information is shared will this make a difference to the service offered and to the outcomes for the victim or offender? Is it necessary for me to do my job or fulfil a statutory duty?
3. Are the reasons for the request 'proportionate' for the purpose? E.g.
  - Are the reasons for sharing information justifiable under Article 8 of the Human Rights Act?
  - Can less information be shared and still achieve the best interest of the victim/offender?
  - Is there another equally effective way of achieving the same aim? Can I share less information and still achieve the best interest of the victim/offender?
  - What is the impact of disclosure likely to be on the individual?
  - If the information requested is sensitive information (race or ethnicity, political or religious beliefs, health, sexual life, criminal offences, trade union membership) is it necessary to share this information in order to meet the reason for sharing?
4. Is the information up to date and accurate? (Care should be taken when recording the name, date of birth and address to ensure that when data is merged from different agencies it relates to the same person) Also do I distinguish between fact and opinion or judgement?
5. Will the request involve secondary disclosure and if so do I need to check with the person who told me this information or wrote this report before I share it?
6. Do I need consent? Have I got consent? If so is it recorded on a file or is there a consent form? Are there any restrictions?
7. On the assumption that the consent cannot realistically be obtained or sought is there justification for sharing without consent? E.g. to protect the interests of the victim/offender?
8. Am I sharing this information in a secure way?

## APPENDIX 3 – KEY QUESTIONS FOR INFORMATION SHARING FLOWCHART



## APPENDIX 4 – SEVEN GOLDEN RULES FOR INFORMATION SHARING

- 1. Remember that the Data Protection Act is not a barrier to sharing information** but provides a framework to ensure that personal information about living persons is shared appropriately.
- 2. Be open and honest** with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
- 3. Seek advice** if you are in any doubt, without disclosing the identity of the person where possible.
- 4. Share with consent where appropriate** and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, that lack of consent can be overridden in the public interest. You will need to base your judgement on the facts of the case.
- 5. Consider safety and well-being:** Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.
- 6. Necessary, proportionate, relevant, accurate, timely and secure:** Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
- 7. Keep a record** of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

## APPENDIX 5 – CONSENT FORM

Requesting Officer's Ref:	
Disclosing Officer's Ref:	

Please provide the relevant information below:

Is this information about you?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If 'No', who is the information about?		
Name:		
Address:		
DOB (ddmmyyyy)		
Are you are acting as: Parent/Guardian/Carer		
Other (please describe)		

Have the reasons for requesting consent been explained to you?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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I give:	
consent to disclose to:	

### Information to which this consent applies:

Personal information and any relevant information, for the purposes of:

Your Name:			
Address:			
DOB (ddmmyyyy):			

Signature:			
Date (ddmmyyyy):			

### Witnessed by requesting officer:

Name:			
Position:			
Signature:			
Date (ddmmyyyy):			

**APPENDIX 6 – RESTRICTION LEVEL: PROTECT/RESTRICTED/CONFIDENTIAL**

Name of meeting:

Date and Location of Meeting:

Please note, by signing this sheet you are agreeing to comply with the relevant handling rules for protective marking and the requirements of the Safer Stockport Partnership Board Information Sharing Protocol applicable to this meeting.

Information shared should only be used for the purpose requested and should not be shared further without consent of the information owner.

Name	Signature	Representing

Please delete as appropriate.

Protect – data to be shared may cause distress to individuals

Restricted – data to be shared is personal data about an offender, victim or witness

Confidential – data to be shared is personal and of a sensitive nature

**APPENDIX 7 – CURRENT HANDLING RULES REGARDING PROTECTIVLY MARKING MATERIAL**

<u>Your action</u>	<u>Restricted</u>	<u>Confidential</u>
Marking	Top and bottom of each page	Top and bottom of each page
Storage of papers	Protected by one barrier (e.g. a locked container)	Protected by two barriers e.g. locked container in a locked room within a secure building
Disposal of papers, including photographs	Place into secure waste sacks or use a cross cut shredder. Keep secure when unattended.	Place into secure waste sacks or use a cross cut shredder. Keep secure when unattended.
Disposal of magnetic media	Securely destroy. CD Roms – destroy completely	Securely destroy. CD Roms – destroy completely
Movement between partner agencies	By post or courier, in a sealed envelope. Do not show protective marking on the envelope.	By post or courier, in a sealed envelope. Double enveloped and both fully addressed. Protective marking showing on inner envelope only. Return address on outer envelope.
Public telephone network/Mobile telephone, including text messages	May be used. Digital mobile phones may be used. For analogue mobile phones use guarded speech and keep conversation brief.	Only if operationally urgent. Use guarded speech and keep conversation brief.  Do not use analogue mobile phones.
E-mail	Only to be used when sent to secure networks	Not to be used unless encrypted.
Internet	Government approved encryption required	Not to be used

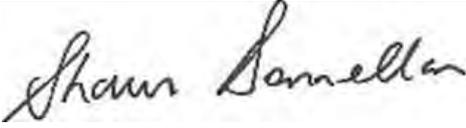
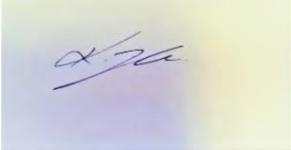
## APPENDIX 8 - SSP Information Sharing Protocol – Specific Sharing by Theme

Protecting Vulnerable People	Public Safety and Protection	Serious and Organised Crime	Transforming Justice	Preventing Radicalisation and Extremism
<b>Partnership Delivery Group (not generally sharing individual level information)</b>				
Domestic Abuse Steering Group	Public Safety and Protection Partnership Delivery Group	Operation Challenger Meetings – Gold/ Silver/ Bronze	Transforming Justice Board	Prevent Steering Group
Joint Complex Safeguarding Sub-Group	YOS Partnership Board			
Hate Crime Steering Group				
<b>Partnership Forums/ Initiatives (regularly/ systematically sharing individual level information)</b>				
Multi Agency Adults at Risk System (MAARS)		Strategy Meetings	Integrated Offender Management (IOM) Steering Group	Channel Panel
Multi Agency Risk Assessment Conference (MARAC)			Multi Agency Public Protection Arrangements (MAPPA)	
Domestic Homicide Reviews			Restorative Justice	
Victoria Intensive Project (VIP)			A Bed Every Night (ABEN)	
Police Custody Intermediate Care Liaison and Diversion Service				

**Partnership forums/ initiatives where regular individual level information sharing takes place – Specific Sharing Arrangements**

<b>Partnership Forum/ Initiative</b>	<b>Specific Sharing Arrangements</b>
<b>Theme: Protecting Vulnerable People</b>	
Multi Agency Adults at Risk System (MAARS)	 MAARS TORs.docx
Multi Agency Risk Assessment Conference (MARAC)	Terms of Reference (to be attached)
Victoria Intensive Project (VIP)	ISA currently in development
Police Custody Intermediate Care Liaison and Diversion Service	 Information Sharing Agreement IHCWLDS
<b>Theme: Public Safety and Protection</b>	
<b>Theme: Serious and Organised Crime</b>	
Strategy Meetings	Working Together Agreement currently in development
<b>Theme: Transforming Justice</b>	
Integrated Offender Management (IOM) Steering Group	GM ISA in draft  ISA - Spotlight v2.docx
Multi Agency Public Protection Arrangements (MAPPA)	Documents in draft November 2020  GM MAPPA SMB - MOU 2020 (4).docx  GM MAPPA SMB - ISA 2020 (002).docx
Restorative Justice	 Remedi ISA Manchester (002).pdf
A Bed Every Night (ABEN)	GM ISA being developed (to be attached when signed off)
<b>Strategic Priority: Radicalisation and Extremism</b>	
Channel Panel	 Stockport Channel Panel TOR.docx

## Signatories

Organisation	Signatory	Role/Contact Details
Stockport Council		Michael Cullen – Joint Chair of SSP, Deputy Chief Executive & SIRO
Greater Manchester Police – Stockport Division		Shaun Donnellan – Chief Superintendent GMP, Commander Stockport Division and GMP SIRO
National Probation Service		Kelly Dale – Head of Cluster, Stockport and Tameside
Greater Manchester Fire and Rescue Service		Phil Nelson – Group Manager for Tameside and Stockport
Cheshire and Greater Manchester Community Rehabilitation Company		Ceri Schofield - Community Director, Stockport and Tameside
Stockport NHS Clinical Commissioning Group		Anita Rolfe – Executive Nurse
Stockport Homes Group		Samantha Donigan – Head of Assurance (Data Protection Officer for SHG)