

PAN Merseyside Multi-Agency Child Exploitation Protocol 2020

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**PAN Merseyside Multi-Agency Protocol
Safeguarding children & young people from Child Exploitation
(CE)**

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1. Introduction

All agencies across Merseyside are fully committed to safeguarding children and young people from being sexually exploited or criminally exploited, whilst disrupting and prosecuting individuals who have exploited them. This Protocol provides a set of multi-agency principles for tackling Child Exploitation across Merseyside. An overarching term of Child Exploitation will be used throughout this Protocol to encompass both criminal and sexual exploitation of children in our area.

The Protocol details how through the Multi-Agency Child Exploitation meetings (**MACE**) we can reduce the harm posed to children from Child Exploitation alongside safeguarding procedures.

Child Exploitation, whether sexual or criminal, is child abuse. Children who become involved face huge risks to their physical, emotional and psychological health and well-being.

1.1 Why do children become involved?

The common issues and reasons can be due to a number of factors, including vulnerabilities identified and being targeted by the abuser.

Children who run away or go missing from home, care or education are recognised as being more at risk of being targeted as a victim of exploitation.

Evidence is clear that a missing child is believed to be at risk from Child Exploitation, irrespective of the length of time they are away from home or a caring environment (Plass, 2007; CEOP, 2011b).

It is often the case that children do not perceive themselves to be victims, as they consider they have acted voluntarily. The reality is that their behaviour is not voluntary or consenting.

The PAN Merseyside Missing Children Protocol outlines the work that the partnership undertakes to safeguard children who have been reported as missing from home, care or education.

1.2 Signs of exploitation

There are common vulnerability factors in children that can lead to them being more likely to be exposed to exploitation, and common signs and behaviours displayed by those who are already being exploited. The following are some of the typical vulnerabilities in children prior to abuse:

- Living in a chaotic or dysfunctional household (including parental substance use, domestic violence, parental mental health issues, parental criminality)
- History of abuse (including familial child sexual abuse, risk of forced marriage, risk of 'honour'-based violence, physical and emotional abuse and neglect)
- Recent bereavement or loss
- Gang association either through relatives, peers or intimate relationships (in cases of gang- associated CE only)
- Attending school with children who are exploited

- Learning disabilities
- Unsure about their sexual orientation or unable to disclose sexual orientation to their families
- Friends with children who are exploited
- Homeless
- Lacking friends from the same age group
- Living in a gang neighbourhood
- Living in residential care
- Living in a hostel, bed and breakfast accommodation, a foyer or homeless
- Low self-esteem or self-confidence
- Young carer

The following are some of the signs and behaviour are generally seen in children who are already being exploited:

- Regularly missing
- Parents / Care not reporting young person missing
- Drug or alcohol misuse
- Has extra money/new items/ 'gifts' that cannot legitimately be accounted for/received from unknown sources
- Change in physical appearance or behaviour
- Pregnancy, termination or repeat testing for sexually transmitted infections
- Young person has been coerced to take/share indecent images
- Arrested/Involved in criminality
- Found / travelling out of Borough
- Multiple mobile phones
- Young person feels indebted to an individual or group
- Family or young person having to move or leave their home
- Items missing from home
- Young person carrying / concealing weapons
- Absent from school / Non-school attendance
- Services have not been able to engage with child
- Self-harm indicators and/or mental health concerns and/or suicidal thoughts/attempts
- Injuries – evidence of physical or sexual assault
- Relationship breakdown with family and or peers
- Association with older and/or risky peers
- Change in education attendance/Change in education provider/Missing from education/Non-attendance in education

If professionals are undecided on whether the child is vulnerable or being exploited, then the Signs of Child Exploitation Guidance Checklist (Appendix A) can be used to determine whether further advice of support is needed.

1.3 Definitions

The below nationally agreed definitions will be utilized across Merseyside

Child Sexual Exploitation

Child Sexual Exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child under the age of 18 into sexual activity:

- (a) In exchange for something the victim needs or wants, and/or
 - (b) For the financial advantage or increased status of the perpetrator or facilitator.
- The victim may have been sexually exploited even if the sexual activity appears consensual. Child Sexual Exploitation does not always involve physical contact; it can also occur through the use of technology.
(Home Office 2017)

Child Criminal Exploitation

Child Criminal Exploitation occurs where an individual or group takes advantage of a person under the age of 18 and may coerce, manipulate or deceive a child under that age into any activity

- (a) In exchange for something the victim needs or wants, and/or
- (b) For the financial advantage or increased status of the perpetrator or facilitator and/or
- (c) Through violence or the threat of violence.

The victim may be exploited even if the activity appears consensual (i.e. moving drugs or the proceeds of drugs from one place to another). Child Criminal Exploitation does not always involve physical contact; it can also occur through the use of technology.
(Home Office 2018)

County Lines

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of “deal line”. They are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.
(Home Office 2018)

County lines is a form of Child Exploitation (CE). It is a major, cross-cutting issue involving drugs, violence, gangs, safeguarding, criminal and sexual exploitation, modern slavery, and missing persons. The response to tackle it involves the Police, the NCA (National Crime Agency) and a wide range of Government departments, local government agencies and VCS (voluntary and community sector) organisations. County lines activity and the associated violence, drug dealing, and exploitation have a devastating impact on children, vulnerable adults and local communities.

Cuckooing

Urban gangs establish a base in the market location, often by taking over the homes of local vulnerable adults by force and/or coercion, in a practice referred to as ‘cuckooing’. Urban gangs then use children and vulnerable people to move drugs and money.

Modern Slavery Act 2015

Section 2 Human Trafficking

A person commits an offence if the person arranges or facilitates the travel of another person to exploit them. It is irrelevant whether the exploited person, adult or child, consents to the travel. A person may, in particular, arrange or facilitate another person’s travel by recruiting, transporting or transferring, harbouring or receiving them, or transferring or exchanging control over them.

‘Travel’ means arriving in, or entering, any country, departing from any country and

travelling within any country. A person who is a UK national commits an offence under Section 2 regardless of where the arranging or facilitating takes place, or where the travel takes place.

A person who is not a UK national commits an offence under Section 2 if any part of the arranging or facilitating takes place in the UK, or the travel consists of arrival in or entry into, departure from, or travel within the UK.

In determining whether or not a child is a victim of trafficking, their consent to being trafficked is irrelevant and how they are trafficked is also irrelevant. Only the act and the purpose need to be present. It is not necessary to prove coercion or any other inducement.

Exploitation alone does not constitute trafficking – there also needs to be recruitment, transportation, transfer, harbouring or receipt of a person.

Slavery, servitude and forced or compulsory labour is, or may be, a crime in its own right under Section 1 Modern Slavery Act 2015.

Contextual Safeguarding (Firmin, 2017)

Contextual Safeguarding is an approach to understanding, and responding to, young people's experiences of significant harm beyond their families. It recognises that the different relationships that children form in their neighborhoods, schools and online can feature violence and abuse. Parents and carers have little influence over these contexts, and young people's experiences of extra-familial abuse can undermine parent-child relationships. Therefore, children's social care practitioners need to engage with individuals and sectors who do have influence over/within extra-familial contexts, and recognise that assessment of, and intervention with, these spaces are a critical part of safeguarding practices. Contextual Safeguarding, therefore, expands the objectives of child protection systems in recognition that children are vulnerable to abuse in a range of social contexts.

National Referral Mechanism

The National Referral Mechanism (NRM) is a framework for identifying and referring potential victims of modern slavery and ensuring they receive the appropriate support. Modern slavery is a complex crime and may involve multiple forms of exploitation. It encompasses:

- human trafficking
- Slavery, servitude, and forced or compulsory labour

An individual could have been a victim of human trafficking and/or slavery, servitude and forced or compulsory labour.

Victims may not be aware that they are being trafficked or exploited, and may have consented to elements of their exploitation, or accepted their situation. If you think that modern slavery has taken place, the case should be referred to the NRM so that the Single Competent Authority (SCA) can fully consider the case. You do not need to be certain that someone is a victim.

The Multi-Agency Child Exploitation meeting (MACE)

Child Exploitation takes places in local communities and information is often known to

the full spectrum of statutory and voluntary sector agencies should be used to highlight the threat, establish and reduce risk. It is anticipated that an improved intelligence picture will enable effective action in a greater number of cases of child exploitation, thereby reducing the harm that would otherwise be caused to the young victims and their families.

A MACE meeting will provide the framework to allow regular information sharing and action planning to tackle child exploitation across Merseyside. Representatives from a range of statutory, voluntary and community sector agencies will attend at the meeting.

Multi-Agency Child Exploitation Assessment tool and MACE meeting Template

The Multi-Agency Child Exploitation Assessment Tool and MACE meeting templates have been updated and agreed by all five Merseyside authorities. Please see Appendix B.

It has been agreed that authorities can design their Child Exploitation Assessment tools on liquid logic to pull through the child and family assessment summary to prevent duplication on the child and family sections only.

2. Protocol Aims and Purpose

This PAN Merseyside Multi-Agency Protocol seeks to unify a process of recognition, risk assessment, referral and discussion amongst professionals utilising a single process and document set for all. This Protocol aligns with local geographical area arrangements to safeguard children and sets out a clear pathway by which to ensure all organisations unify to provide the best service possible for all children and young people who are at risk of being exploited across Merseyside.

The aims and purpose of the Protocol procedures are to:

- Identify those who are at risk of being sexually and/or criminally exploited, by sharing information at an early stage and assessing risk using a consistent Child Exploitation Multi- Agency Assessment Tool.
- Apply pro-active problem solving to address the risks associated with victims, perpetrators and locations and to ensure the safeguarding and welfare of children who are or may be at risk from exploitation.
- Take proactive action against those who are intent on sexually or criminally abusing and exploiting children and young people.
- Ensure timely and effective interventions are offered to children and families so as to safeguard those vulnerable to exploitation.
- Ensure partnership agencies work collaboratively to safeguard children who are being or are at risk of being exploited.
- Promote positive physical and emotional health and well-being of individuals identified as being at risk of child exploitation by ensuring appropriate therapeutic, sexual health and pre-trial therapy support is available to those children and young people who have experienced exploitation.

- To use data and intelligence to develop an understanding of child exploitation taking place across Merseyside, implement disruption tactics and ensure services are commissioned which can meet identified need.

3. Principles for consistently tackling Child Exploitation across Merseyside

The following is a list of principles that each geographical area will ensure are included within their local area child exploitation procedure and operational partnership pathways:

- When a child has been exploited, it is **never** the child's fault. (Please see Appendix D) for the language agencies should use to ensure that they describe a child's behaviour and or presentation.
- All agencies across Merseyside should use a VPRF1 or Multi-Agency Referral Form to make a referral to the Front door/MASH.
- Referrals should always be made to the local geographical area where the child is currently residing.
- If the child is 'looked after' and placed out of their Local Authority geographical boundary, the child's allocated social worker from their home authority must always be informed that a VPRF1 or MARF has been made in relation to Child Exploitation concerns.
- Upon receipt of the VPRF1 or MARF in relation to Child Exploitation concerns, the local response will ensure a multi- agency information sharing and/or meeting takes place, in accordance with the level of risk initially identified. If there is risk of significant harm then a sec 47 strategy meeting must be convened which involves social care, police and partner agencies working with the child/family and CE flags can be actioned from this meeting for police and CSC systems.
- A Multi-Agency Child Exploitation Assessment Tool must be undertaken for all children:
 - Where there are signs of exploitation, but this needs further exploration.
 - When there are clear indicators that would suggest that the child is being exploited but this needs further exploration.
 - Where there is evidence that the child is being exploited.
 - Where there is evidence that the child is being exploited and there are concerns that they are recruiting other children to be exploited
- A Multi-Agency Child Exploitation Assessment Tool must be completed in a multi-agency forum, and not by a single agency alone. It must include all multi-agency information including police.
- The child and their family's views must be sought to inform the completion of the Multi-Agency Assessment. It is good practice for the child and family to be part of this multi-agency meeting.
- If concerns are identified regarding compromised parenting and the parent/carer is believed involved in the exploitation of the child, the local area child protection procedure must be followed.

- If through completion of Child Exploitation Assessment tool that any cross geographical border links are identified, contact must be made with the local CE police lead and the Multi-Agency Safeguarding Hub (MASH) / Front door in the other Local Authority.
- If the child has been arrested for having possession of drugs/firearms in another geographical area, Merseyside Police should contact the investigating police force to discuss whether there is evidence of 'County lines' criminal exploitation of the young person.
- Merseyside Police will be the lead for the disruption actions undertaken, particularly when a child is criminally exploiting other children and/or involving them in 'County lines'.
- The Child Exploitation Assessment and plan must always include ways to strengthen the child's resilience and protective factors as a form of 'pulling them away' from the exploitation risk.
- The Child Exploitation Assessment MUST link with the existing plan for the child (i.e. Early Help Plan, Child in Need Plan, Child Protection Plan or 'Looked After' Child's Care Plan).
- All Child Exploitation Assessments assessed as may be or being exploited should be reviewed every 12 weeks. The MACE chairs however can set the review time period depending upon the level of risk and balancing the volume of cases within the MACE. Six-month reviews can only be used in particular circumstances: ie. Child in custody.
- If the Child Exploitation Assessment tool is submitted into MACE and the child is deemed to be a risk of exploitation towards other children, additional consideration is required on what prevention/disruption can be actioned.
- If any significant intelligence / safeguarding concerns are identified before the due review date a Multi-Agency meeting must be reconvened to discuss the new information and the Child Exploitation Assessment tool must be re-considered and updated accordingly. If there are significant harm concerns this meeting must be convened as a Strategy Meeting with police, social care and partner agencies.
- When a child is made subject of a Child Exploitation Assessment under MACE the decision for flags to be put on the system and removed will be via the MACE process. If Social Care are required to close a case prior to a MACE review and there are no signs of exploitation, then a discussion can take place with the Local Authority CE lead on the most appropriate action.
- At each multi-agency review, the Child Exploitation Assessment and plan should be re- analysed to ascertain if any new intelligence/concerns have been identified, as well as considering new protective factors.
- The child will only cease being subject of the MACE and Child Exploitation Assessments when the risk has been deemed by the multi-agency partnership to have reduced sufficiently and would indicate that a multi-agency plan is no longer necessary. A Child Exploitation flag can only be removed when this is the case. The decision to REMOVE a flag will be made in the Multi-Agency Child Exploitation

(MACE) meeting. If Children Services need to close a case and there are no exploitation concerns, then a decision can be made by the CE local authority lead to remove a flag.

- If a Child Exploitation Assessment tool is submitted into MACE and is assessed as a 'child, we are worried about and may return to MACE in the future' then consideration is required on what prevention strategies can be put into place.
- **Repeat Child Exploitation Referrals** - A repeat CE Referral is defined as when a child is no longer in the MACE process and a new CE concern has been raised which requires a Child Exploitation Assessment.
- **Links with other safeguarding children concerns i.e. MARAC/Radicalisation/Trafficking etc.** If there are concerns regarding any of the above issues, a referral should be made via the relevant local pathways. The Child Exploitation Assessment should ensure the referral is reflected.
- When modern slavery is suspected consideration of submitting a National Referral Mechanism for (NRM). Merseyside Police process will be to record the offence of modern slavery on Niche using the occurrence type 'Child Exploitation' and the officer in charge of the investigation or the CE Coordinator would complete and submit the copy of the NRM that has been completed in a multi-agency forum, ensuring a copy is forwarded to the relevant Local Authority Children's Social Care.
- **Intelligence:** Where an agency has intelligence, this should be shared with the police by:

Tell us online reporting: The Merseyside Police website is the quickest, easiest and most reliable way of sharing information with the police. As a partner agency simply go to the website and click 'Tell Us About' button. www.merseyside.police.uk

Or Crimestoppers, an independent charity who helps to solve crimes. Crimestoppers have an anonymous 24/7 phone number **0800 555 111**, that agencies can call to pass on information about crime. Alternatively, people can send Crimestoppers information anonymously via their Giving Information Form. **Crimestoppers should only be used for intelligence submissions where details of a child are not known. Safeguarding concerns in relation to identifiable children need to be submitted via the process outlined above.**

4. Process: What to do if you are worried about a child being at risk of exploitation.

4.1 If a child is not open to Children Services

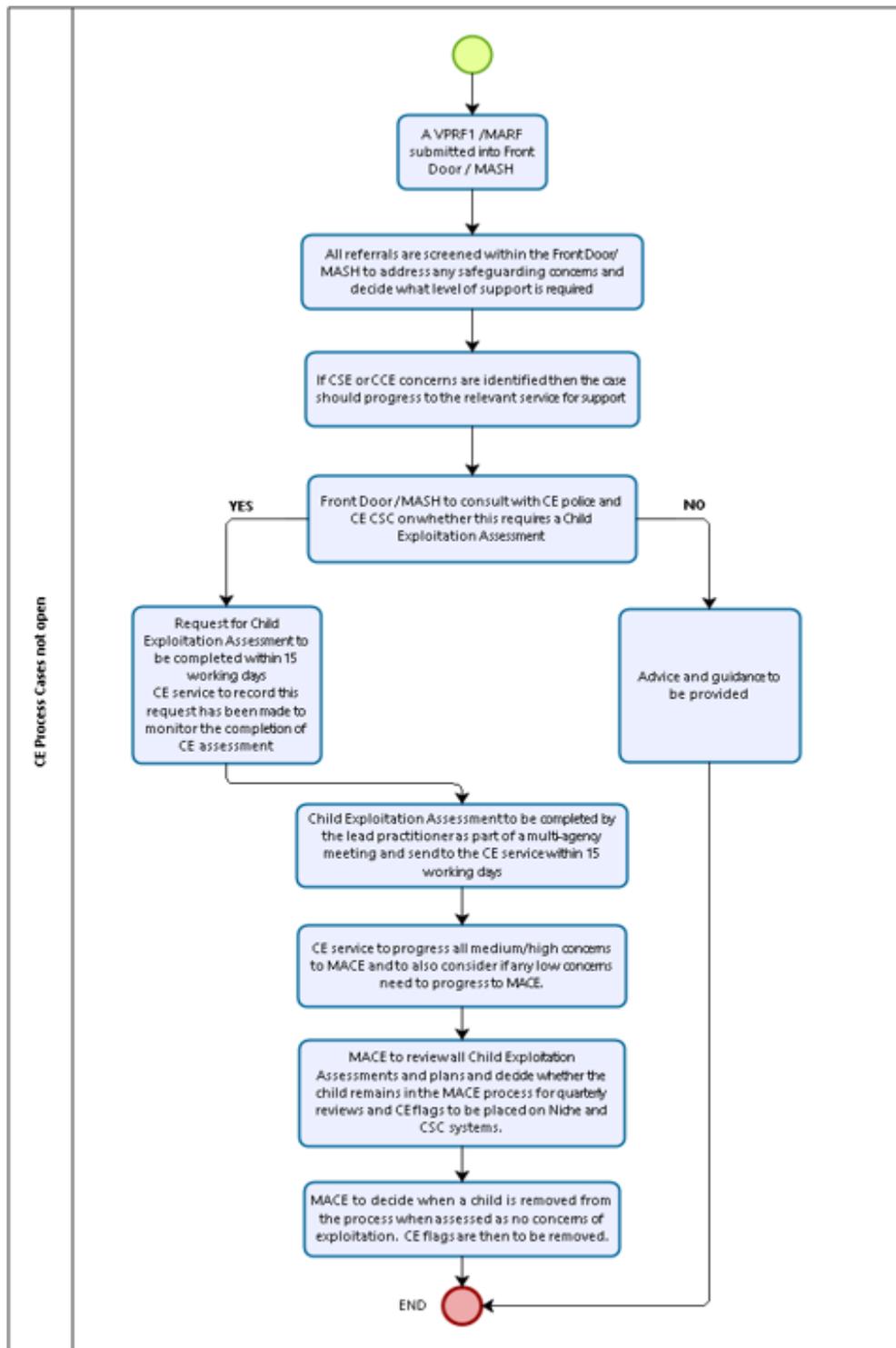
If a child is presenting with signs of being exploited, then a Multi-Agency Referral Form (MARF) or VPFR1 must be completed and sent to the MASH/ Front Door of the local authority where the child resides. The MASH /Front door will screen the referral and a decision will then made to the level of presenting need and refer the child to the appropriate level of service if required:

- No further action
- Signposting
- Early Help

- S17 Initial assessment
- S47 Child Protection

If the child is the responsibility of another local authority, then contact will be made with the responsible authority to ascertain what action is being taken. See Appendix E for links to Local Safeguarding Process

Process map for children not open to Children Services



*If CSC need to close a case prior to a MACE meeting and there are no exploitation concerns discussion to be held with the CSC CE lead

*If a sec 47 strategy meeting is required due to exploitation safeguarding concerns then CE flags can be placed on Niche and CSC systems prior to MACE

Timescales can be extended to fit in with the Child & Family Assessment if CSC are completing both assessments at the same time.

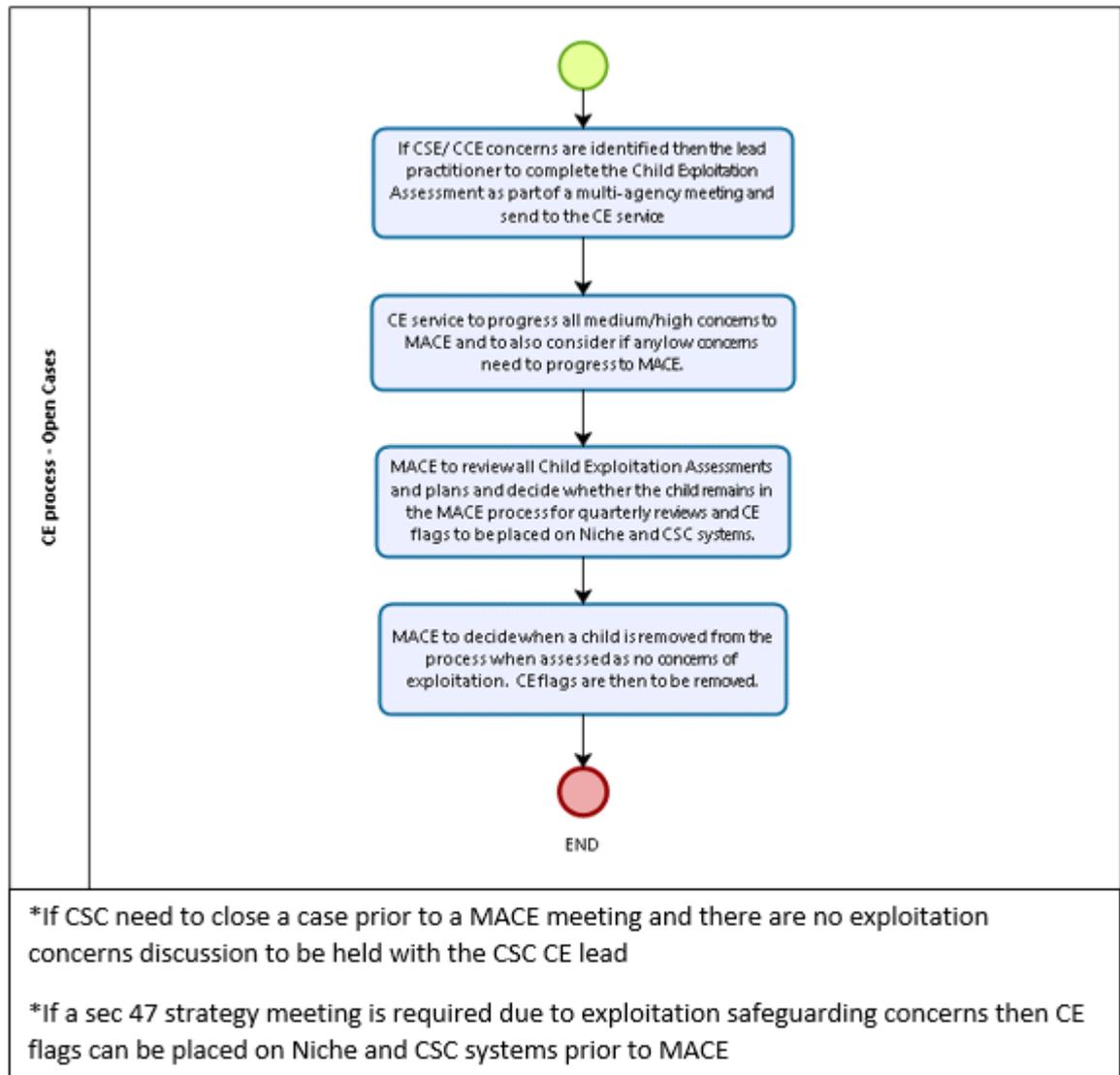
4.2 If a child is open to Children Services

If a child is presenting with signs of being exploited, then a Multi-Agency Referral Form (MARF) or VPFR1 must be completed and sent to the MASH/ Front Door of the local authority where the child resides. The MASH /Front door will ensure the referral is sent to the allocated social worker.

The risk of harm to the child needs to be re- assessed in the light of the new information, a discussion held with the relevant team manager and a decision will then be made to the level of presenting need and refer the child to the appropriate level of service if required:

- No further action
- Signposting
- S17 assessment
- S47 Child Protection

Process map for children open to Children Services



5. MACE

5.1 MACE principles

The MACE meetings held in each of the local authority areas of Merseyside will be jointly chaired by Merseyside Police (Detective Inspector) and a Social Care Senior Safeguarding Manager for the Local Authority (higher than a CSC Team Manager Grade).

A MACE meeting will provide the framework to allow regular information sharing and action planning to tackle child exploitation across Merseyside. JTAI guidance 2020 highlights key questions that can be used as preparation for MACE chairs and/or a quality assurance checklist (See Appendix C).

Police and partner agencies will share intelligence within the MACE (See Appendix F) Key Questions for Information Sharing and CE Intelligence/Information Sharing via MACE Process. (See Appendix G – Information Sharing Agreement)

Every MACE meeting requires attendees to sign a confidential statement (see Appendix H – MACE signing in sheet)

The meeting will discuss concerns about child exploitation that have already been reviewed by the local CE MASH/ front door. Representatives from a range of statutory, voluntary and community sector agencies will attend at the meeting.

The meeting will consider each referral against intelligence held by the range of agencies represented at the meeting and intelligence provided by additional agencies unable to attend meetings but required to provide intelligence in every relevant case.

The MACE will ensure that a Multi-Agency Child Exploitation Assessment and plan has been completed, detailing the tactical response to be provided by relevant agencies.

The MACE meeting will have the potential to call upon the diverse skills and experience available amongst its members.

In conjunction with dealing with individual cases of child exploitation, the meeting will be a forum for information sharing to increase the understanding of the threat posed by child exploitation across Merseyside.

The child's welfare is paramount. The MACE process will supplement safeguarding processes by contributing information gathered at the MACE to meetings where the child's plan is being discussed.

The MACE will not supplant, replace or override current safeguarding procedures.

Cases involving children who are at imminent risk, should not wait for the MACE meeting. The child or young person should be referred to the Front Door/ MASH immediately to ensure safeguarding procedures are commenced, as is usual practice in respect of safeguarding concerns. The MACE process will run alongside the safeguarding process to ensure all information in relation to child exploitation is collated at a central point.

At the MACE meeting, agency representatives will be asked to use their professional

knowledge and expertise to assess the young person using the Child Exploitation Assessment to safeguard the victim, ensure the appropriate services are in place and target the perpetrator.

The actions allocated and information received at the meeting will be fully documented in the minutes of the MACE meeting and saved on the child's file.

Due to the volume of cases in the local authority of Liverpool, it is not feasible for every medium/high case to be discussed at MACE. However, the MACE principles will be followed at the relevant multi-agency meeting, Child in Need or Child Protection. There will be a confidential slot at the beginning of the meeting where partner agencies will share intelligence and cases will be reviewed every 12 weeks.

Liverpool MACE will discuss child exploitation cases where the plan is not reducing risk and **all** cases where the risk has sufficiently reduced for the case to move out of the CE pathway and the flag removed. The decision to remove the flag will be made at MACE. The MACE meeting will maintain oversight of the National Referral Mechanism Referrals.

Flow-charts for the Liverpool process can be found at Appendix I.

All five authorities have responsibility for ensuring MACE chairs and representatives are trained on their responsibilities outlined in the MACE Terms of Reference. Each local authority must also provide training for all multi-agency practitioners on the MACE and their contributions when a Child Exploitation Assessment tool is being completed.

5.2 MACE Terms of Reference

MACE Terms of Reference

Group	Multi-Agency Child Exploitation
Chair	Jointly chaired by CSC (senior manager level) and Detective Inspector
Membership	
Organisations	Organisation
Children Service Teams	Council
Early Help Service	Council
YOS	YOS
Sexual Health	Health
Health	Health
Local policing	Merseyside Police
Catch 22	Pan Merseyside Catch 22
Safeguarding Lead	Education
CAMHS	CAMHS
Crime and Communities	Community Safety Partnership
Probation	Probation
CE Coordinator	Merseyside Police
Post 16 ETE	ETE post 16
Drugs services	Voluntary
CE team member (if applicable to area)	CE team
Co-opted Members	
Title	Organisation
Licencing	Council
Housing	Housing
Purpose	
The aim of the MACE is to provide a framework and governance to promote a clear consistent response to concerns in relation to child exploitation in Merseyside.	
Key Objectives	
<p>The MACE provides:</p> <ul style="list-style-type: none"> • a framework to allow regular information/intelligence sharing and action planning to tackle CE from a range of statutory, voluntary and community sector agencies, • a governance structure to ensure all medium/high concerns about child exploitation have been assessed and responded to appropriately via safeguarding and enforcement agencies, • a process to ensure a certain standard is achieved in relation to the CE assessment and that CE identified needs have been responded to via the lead practitioners plan, • a forum identifies and respond to gaps in provision and to escalate any identified concerns within agencies, • a meeting to share wider intelligence sharing of the CE risks and needs across Merseyside and to build upon intelligence to enhance safeguarding and disrupt perpetrators, 	

- a process to identify any child who presents as a victim of exploitation and also a risk towards other children to ensure risk is identified and managed appropriately,
- a meeting to focus on the 4 P objectives (prepare, prevent, pursue and protect),
- a forum to recognise good practice to share learning and ensure services try all approaches to engage children being exploited,
- to consider our transitional pathways for anyone turning 18 years old who are still assessed as being exploited,
- to monitor NRM referrals in terms of multi-agency involvement, criming, investigation, result and outcome for perpetrators, and
- to ensure all CE perpetrators that present a threat, harm and risk will be brought to the attention of local policing for a range of disruption opportunities to be considered. Feedback from these contextual safeguarding forums (ie. MARTHR) to feed back into the MACE.

The MACE meeting will not supplant, replace or override current safeguarding procedures. Cases involving children who are at immediate risk, should not wait for the MACE meeting.

Governance

The MACE will report/ escalate to the local authority strategic group responsible for Child Exploitation and the Pan Merseyside Strategic MACE.

The MACE chairs will escalate any identified concerns within the local multi-agency safeguarding arrangements.

Role of members

Members of the meeting will be responsible for the Multi-agency oversight of all CE assessment and the child's plan. (In Liverpool, MACE will be responsible for oversight of cases that are not progressing in terms of reducing risk).

Members are expected to read all the paperwork that is sent out prior to the MACE and attend the MACE to express individual agencies opinion on:

- any missing information
- whether the risk level appropriate
- the standard of assessment and plan being appropriate

Members are also expected to:

- Be the single point of contact for agencies for CE
- Ensuring information or actions are disseminated within own agency / department / team and to other partners as relevant
- Active participation in agenda and discussion, bringing issues to and from own area of responsibility.
- Raise and escalate any concerns from an agencies' perspective
- Undertake actions as agreed by the meeting
- To share good practice and what their agency has done when agencies have been unable to engage,
- Abide by the Information Governance guidelines for each agency and Data Protection Act

If a nominated member of the meeting is unable to attend, then a designated representative should attend in their place. The nominated delegate will be identified in advance and should be of an appropriate level to undertake decisions on behalf of the nominated member and their organisation. The nominated member should ensure that their designated representative has been briefed and provided with the relevant papers.

MACE agenda

The MACE agenda will include the following standardised items:

- 1) CE assessments- initial and review (Liverpool: CE Assessments/Plans not reducing risk)
- 2) Oversight of National Referral Mechanism Referrals
 - Has this decision been reached via multi-agency discussion?
 - Has this been crimed?
 - Has this resulted in positive conclusion grounds decision?
 - Outcome of the decision? (Investigation of the trafficking? Court outcome? Support package?)
- 3) Intelligence and how this can be developed further by agencies
- 4) Strategic MACE update (demographics)
- 5) What works and any barriers agencies are facing?

Frequency

Minimal requirement: monthly

6. National Referral Mechanism

A decision as to whether to submit an NRM in respect of a child or young person is best taken in light of all the available information and intelligence. This is to ensure the NRM is fully informed, safeguarding partners are aware of the wider information and intelligence and can prioritise and safeguard appropriately.

Safeguarding Partners should share information at the earliest opportunity when concerns arise that a child or young person who may be subject to modern slavery. Information shared should support a multi-agency decision on the submission of an NRM to the competent authority. An NRM referral should not prevent immediate safeguarding actions taking place, information from the NRM assessment may contribute to safeguarding responses.

This approach may identify other children or young people at risk of being trafficked or exploited, suspected perpetrators or other persons or professionals capable of providing safeguarding interventions.

The safeguarding partners should retain oversight of the progress of NRM's so effective multi agency decision making can be made in light of decisions taken by the competent authority. This includes if, when and how to inform a child or young person to support their safety and welfare. This information sharing and a partnership approach is underpinned by the principles of Working Together 2018, will avoid safeguarding partners acting in isolation; and maximise the opportunities to safeguard the child or young person.

Local partnership governance should ensure appropriate arrangements are in place to track and review NRM cases, submission and status. This may happen through the local multi-agency safeguarding arrangements, MACE or other appropriate governance.

To complete a NRM: <https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms>

7. Role of Agencies

Merseyside Police

To tackle child exploitation, Merseyside Police will undertake to:

- Identify instances of child exploitation
- Assess and manage risk to children and young people to prevent harm and/or reduce the impact of harm
- Undertake criminal investigations and take positive action against abusers.
- Work with partner agencies to support and protect child victims and their families.
- Develop intelligence to prevent instances occurring, support investigations and to assist partner agencies to take positive action.
- Identify and record themes, patterns and trends in child exploitation.
- Take positive action to disrupt activity.

Investigating child exploitation requires a proactive approach to intelligence gathering, so that patterns of abuse and the form it takes, can be identified both locally and on a larger scale. It is vital this information is shared with partner agencies to help identify and protect those at risk, and to identify potential perpetrators. Ensuring that links are

made with children and young people who are going missing, or displaying any of the warning signs or vulnerabilities from the guidance checklist (Appendix A), can help to identify and manage risk at an early stage.

It is vital that Merseyside Police work closely with partner agencies to develop a coordinated response to any concerns about child exploitation, ensuring that the child's welfare and safety is the primary consideration when responses are planned.

Police Child Exploitation Coordinators

The CE Police Coordinator is responsible for:

- a) MACE preparation
- b) read all the CE assessments
- c) make additional enquires on any significant information contained in the CE forms
- d) ensure any relevant information is submitted as intelligence on police systems
- e) MACE attendance, contribution and take actions from the MACE
- f) To update the MACE with any intelligence or hotspot information including Force Intelligence Bureau (FIB) CE briefings
- g) Manage CE flags on Niche
- h) Ensure transition of the CE for all children moving in and out of the borough to other MACE processes
- i) Ensure all CE assessment tools are on police systems

Health Services

Government guidance on children involved in sexual exploitation, notes:

'Because of the universal nature of most health provision, health professionals may often be the first to be aware that a child may be involved, or be at risk of becoming involved, in child exploitation.'

Children involved in sexual exploitation are likely to need a range of services, including advice and counselling for harm minimisation, health promotion, advice on sexually transmitted diseases and HIV'

Health professionals should be alert and competent to identify and act upon concerns that a child is at risk of or experiencing abuse through exploitation. They have a crucial role in providing support for the physical and mental health of these children.

Where health professionals have immediate concerns, they should make a referral to the MASH.

Where the concerns are not immediate or are unclear, staff should discuss the case with their safeguarding lead. A decision should be made as to whether this would be an appropriate referral to the MASH/ Front door.

Health staff should offer and/or continue to provide health education, counselling, sexual health and medical intervention to the child as an appropriate part of early intervention.

Health professionals who may be invited to attend multi-agency meetings include:

- All current health professionals involved with the child, including school nurses, nurses working with children in care, GP's, practice nurses, health workers involved with outreach clinics, sexual health and family planning resources.
- Any previously involved health professionals (recent past) who would have a useful contribution to make to the meeting (i.e. most recent health reports and knowledge of child while at school).
- Health professionals involved in any screening or medicals involving the child who is the subject of the meeting (e.g. Community Medical Officer, GP) or
- When no other health person is involved, current or past, the Trust's safeguarding lead should attend in an advisory capacity.

Schools and Colleges

Staff in schools, further education colleges and other education establishments, are uniquely placed to recognise and refer children who are abused through exploitation. They are also in a position to help children to avoid being exploited and to support abused children to recover.

Personal, Social and Health Education (PSHE) programmes can help children make informed and healthy choices about issues such as sexual activity, grooming techniques, drug use and keeping themselves safe.

Schools should also be aware of who is picking up or meeting children at the end of the school day and also be aware of their respective 'E-Safety' processes which help inform children and families on how to be safe online.

Representatives from education have an active role, which is not limited to prevention, but also to sharing information in respect of children and young people with whom they share a great deal of time and experiences. It is anticipated that children missing education lead will have regular representation at the monthly MACE meeting and provide, amongst other information, when a child or young person has been missing from education.

Staff should have knowledge and be familiar with the Safeguarding in Education guidance (DfE 2019)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/835733/Keeping_children_safe_in_education_2019.pdf

Youth Offending Service (YOS)

Youth Offending Team/Service practitioners from the five Merseyside YOTs deal with young people who have or are at risk of committing offences but can also be the victims of criminal exploitation. The expectation in terms of practice is as follows:

- All young people will be managed in ways that reduces their vulnerability/safeguarding need, and any risk of harm they may present through skilled assessment, the delivery of well-targeted and quality interventions and risk management planning. The sharing of information with other key agencies will be central to this.

- Recognition of factors, which pose a risk to children's safety and welfare, and the implementation of agency procedures to protect children from harm (MAPPA/MARAC/Child Safeguarding procedures).

In conjunction with the other agencies and organisations involved in the MACE meeting, Youth Offending Teams/Services will be integral to the success of the process in providing and sharing of information and intelligence. It is anticipated that Youth Offending Teams/Services will have regular representation at the MACE meeting for their geographical area.

Probation

Probation staff will deal with perpetrators, and in some cases victims, of child exploitation, including children. The expectation in terms of practice is as follows:

- All perpetrators will be managed in ways that reduces the risk of harm they may present through skillful assessment, the delivery of well-targeted and quality interventions and risk management planning. The sharing of information with other key agencies will be central to this.
- Recognition of factors, which pose a risk to children's safety and welfare, and the implementation of agency procedures to protect children from harm (MAPPA/MARAC/Child Safeguarding procedures).
- Provision of services to child victims of criminal exploitation in conjunction with the other agencies and organisations involved in the MACE.

8. Pan Merseyside Performance Reporting: CSE and CCE

Each borough will report quarterly into Pan Merseyside Strategic MACE:

- 1) Number of CE assessment proceeded to MACE?
(No. of Initial CE assessments submitted into MACE within the quarter)
- 2) How many children in MACE (may be or being exploited)?
(No. children that are in the MACE process at the end of the quarter)
- 3) How many children were closed off MACE (assessed as not being exploited)?
(No. of children assessed as not being exploited as the risk has reduced or children we are worried about that may return to MACE in the future and been signed off MACE)
- 4) How many children were closed as agencies have been unable to engage?
(No. of children that have had to be taken out the MACE meeting as agencies are unable to engage so there is no lead worker)
- 5) How many re-referrals back into MACE within six months?
(No. of re-referrals that have come back into MACE within six months after they have been removed/signed off MACE)

- 6) No. of children assessed as being exploited for over six months and findings?
(No. of children that were assessed as being exploited for over six months and why)
- 7) No. of escalations have been made by MACE chairs and outcome
(Escalations that have been completed by the Detective Inspector or Safeguarding MACE chairs following the MACE meeting)
- 8) No. of NRM submitted and where they completed as part of a Multi-Agency forum? (No. of NRM submitted in the quarter?)

Analysis of the above:

Appendix A

Signs of Child Exploitation Guidance Checklist

- This guidance checklist can be used by all professionals working with children aged 10+.
- This guidance checklist can help you focus on the specific indicators of child exploitation and determine whether further advice and/or support is needed. The checklist could be used in supervision, in discussions with parents and carers, with other professionals and with the child.
- Professionals need to exercise their own judgement when completing the checklist. This includes capturing concerns about which they have some evidence **AND** concerns based on their “gut feelings”. Staff should differentiate between the two and explain this in the notes section.
- Where child exploitation is suspected the worker should discuss their concerns with their manager and should also inform their agency’s lead professional who will be monitoring the bigger picture for any emerging patterns.
- Professionals should feel free to use the checklist creatively, including as part of awareness raising work with children or in engaging parents and carers in understanding the issues.
- Once completed if it confirms concerns and/ or identifies risk of significant harm, you **MUST** make a referral to the local Multi Agency Safeguarding Hub
- Please add any intelligence you may have on to Tell Us <https://www.merseyside.police.uk/tua/tell-us-about/soh/something-youve-seen-or-heard/>

Child’s Details

Child’s Name:		DoB:	
Address:		Home Phone:	
GP Surgery:		School/College:	

Person completing this tool.

Name and job title of person completing:		Date completed:	
Organisation:		Contact e-mail: Telephone:	

Lead Agency Involvement

No Lead Agency	Early Help	Child in Need	Child Protection	Looked After

Which of the following are applicable to this young person?

	Please provide any information you have in relation to any of these indicators.
Has the young person gone missing regularly? This could be only a few hours or for longer periods. Is there any pattern to these missing episodes?	
Are there any concerns that Parents / Carers are not reporting a young person missing?	
Is there any concerns about drug or alcohol misuse?	
Has extra money/new items/'gifts' that cannot legitimately be accounted for/received from unknown sources	
Has there been any changes in the young person's physical appearance	

or behaviour?	
Has the young person been pregnant, had a termination or repeat testing for sexually transmitted infections?	
Has the young person been coerced to take/share indecent images?	
Has the young person been arrested/Involved in criminality?	
Has the young person been found / travelling out of Borough?	
Has the young person have multiple mobile phones?	
Does the young person feel indebted to an individual or group?	
Family or young person having to move or leave their home	
Are there items missing from the home?	
Young person carrying / concealing weapons	

Associates known to be involved in criminality or Organised Crime Groups (OCG's)	
Absent from school / Non-school attendance	
Services have not been able to engage with child	
Living in a chaotic / dysfunctional household	
Low self-esteem / self confidence	
Association with others who have been exploited	
Self-harm indicators and/or mental health concerns and/or suicidal thoughts/attempts	
Injuries – evidence of physical or sexual assault	
Has there been a recent relationship breakdown with family and or peers?	
Is the young person homeless?	

Association with older and/or risky peers – who are they?	
Is the young person a Young Carer?	
Change in education attendance/Change in education provider/Missing from education/Non-attendance in education	
Young person's sexuality increases their vulnerability as they feel unaccepted due to sexual orientation	
Is there any information about risky adults in the young person's life? If so, who are they? Nicknames? D.O.B? Car registrations or phone numbers? Please also submit this information to the police 'Tell Us Website.'	
Any other information that professionals, family or young person feel is relevant? Any locations that are of concern? Addresses being attended by young people? Any parks, shops or other public spaces raised as a concern?	

Does the child have a trusted relationship with a safe adult? If so who is it? It could be a professional, relative or family friend.	
Are Parents / Carers aware of these concerns? What are their views?	
Does the young person have awareness of these concerns? What is their view?	

Pan Merseyside Merseyside Child Exploitation Assessment Tool

Date of assessment:					
Professionals involved in the assessment:					
Other professional involved with the family:					

Child's Information (please complete a separate CE assessment per child)					
Name		D.O.B		Agency	
Address		National Referral Mechanism stage	Referred Positive reasonable Conclusive grounds Negative	Lead Practitioner	
Mother's details: D.O.B:		Father's details: D.O.B:		Other carers/ guardians (stepparents or partners)	

Identity									
Ethnicity		Nationality		Gender		Sexual Identity		Disability	
Current Living situation									
At home		Living with other family member		Foster care		Children's Home		Semi / Independent Living	Homeless
Context: Criminal Exploitation									
Out of borough drug dealing	In borough drug dealing	Storing weapons / drugs for others	Family linked to organised crime	Committing offences under coercion	Warning signs	Financial	Online		
Context: Sexual Exploitation									

Online		Party		Exploitative Relationship		Adult/ Lone Offender		Group / Gang		On Street		Peer		Warning signs	
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Reason for referral into Multi-Agency Child Exploitation (MACE)	<ul style="list-style-type: none"> ○ Criminal Exploitation ○ Sexual Exploitation ○ Both <p>Reason:</p>	
Chronology of only exploitation concerns:	Date:	Information:

Are there concerns in relation to the child going missing? Yes or No Yes - Drop down of below section				
Missing / Absence Things to consider: <ul style="list-style-type: none"> • Does the child go missing? • Frequency of missing episodes and length? • Is the child where they should be in the day? • Details of missing incidents: 	What is working well?	What are we worried about?	What needs to happen? Who is responsible?	Is this reflected in the child and family plan? Yes or No? If no, when will it be included?

<p>timings, reasons, patterns, places and associations whilst missing.</p> <ul style="list-style-type: none"> • Do parents / carers report their child missing? If not, why? • Is it safe for them to be where they should be? 	<p>Voice of the child and family:</p>	<p>Voice of the child and family:</p>		
<p>Child</p> <p>Things to consider:</p> <ul style="list-style-type: none"> • What is the child's emotional responses to the exploitation? • Child's own safety plan. • Interests, positive activities, skills and qualities, personality traits. • Sexual health • Substance use • ASB/ Offending: known to carry weapons and reason why? • Physical / mental health concerns: Adverse Childhood Experiences, self-worth, bereavement / loss • Injuries – evidence of physical or sexual assault/ A&E admissions, 				<p>*Can pull though information from C&F and Early Help for child and family section.</p>
	<p>Voice of the child and family:</p>	<p>Voice of the child and family:</p>		

<p>Family / Home Things to consider: Parent/Carer:</p> <ul style="list-style-type: none"> • Their understanding of exploitation • Their resilience • Positive/negative relationship? • Are they benefitting from drug dealing/criminal acts? • Mental health concerns? • Substance misuse issues? <p>Siblings:</p> <ul style="list-style-type: none"> • Positive/negative relationships? • Have they been/could they be targeted for exploitation? <p>Family:</p> <ul style="list-style-type: none"> • Any cultural/ethnicity considerations? • Support network – what does it look like? Is it working? What support would be needed? • Any positive influences in the family? Nature of their relationship? • Overall vulnerabilities – domestic abuse, financial issues, criminality within the family, ACEs • Accommodation – is it suitable? Is it safe? Who is living in the home? Landlord? 				
	Voice of the child and family:	Voice of the child and family:		

<p>Education, Training and Employment Neurodevelopmental pathway: NEET: ECHP:</p> <p>School / College _____</p> <p>Alternative provision _____ Hours offered a week: 0-5, 5-10, 10-25</p>				
<p>Are there concerns with Education, Training and Employment?</p> <p>Yes or No</p> <p>Yes - Drop down of below section</p>				
<p>Education, Training and Employment</p> <p>. Things to consider:</p> <ul style="list-style-type: none"> • What is the school / provision offer (including details of timetable)? • Exclusions / attendance? • Significant incidents in school • Previous involvement in education welfare service • EHCP details • SEN factors considered to increase child's vulnerability to exploitation. • Is the child safe in school? • Culture within provision. 	<p>What is working well?</p>	<p>What are we worried about?</p>	<p>What needs to happen? Who is responsible?</p>	<p>Is this reflected in the child and family plan? Yes or No? If no, when will it be included?</p>

<p>Are there concerns with External Relationships?</p> <p>Yes</p> <p>Drop down of below section</p>				
<p>External Relationships</p> <p>Things to consider:</p> <ul style="list-style-type: none"> • Name of associates with as much detail as possible • Positive and trusted relationships? • Known / suspected involvement in exploitation / crime? • Potential perpetrators / groomers of the child? • How they are known to each other? • Social status of the child in the group? • What are the social norms within their groups? • What need is this relationship meeting? • Is the child presenting a risk towards others? 	<p>What is working well?</p>	<p>What are we worried about?</p>	<p>What needs to happen? Who is responsible?</p>	<p>Is this reflected in the child and family plan? Yes or No? If no, when will it be included?</p>
<p>Are there locations that the exploitation is taking place?</p> <p>Yes</p> <p>Drop down of below section</p> <p>Area child lives _____</p> <p>Areas exploitation is taking place: in borough and out of borough</p>				

Locations Things to consider: <ul style="list-style-type: none"> Where are the child's safe spaces? Locations of concern and why? (Including party locations or potential cuckooed addresses- who owns the property/ social landlord?) Can these locations be made safer? Rival groups / gangs? How has the child travelled? Date / time and who with? 	What is working well?	What are we worried about?	What needs to happen? Who is responsible?	Is this reflected in the child and family plan? Yes or No? If no, when will it be included?
	Voice of the child and family:	Voice of the child and family:		
Are there concerns with social media / phone / online? Yes Drop down of below section				
Social media / phone / online Things to consider: <ul style="list-style-type: none"> Social media profile details 	What is working well?	What are we worried about?	What needs to happen? Who is responsible?	Is this reflected in the child and family plan? Yes or No? If no, when will it be included?

<p>(consider obtaining actual profile names)</p> <ul style="list-style-type: none"> • Access and usage? • Apps used • Multiple phones and sim cards? • Has the child been targeted or abused online? • Has the child been coerced to take / share images? • Parents / carers safety plan in response to online concerns and knowledge of social media. 				
	Voice of the child and family:	Voice of the child and family:		
<p>Are professionals / agencies struggling to engage the family or child?</p> <p>Yes</p> <p>Drop down of below section</p>				
<p>Professional's ability to engage</p> <p>Things to consider:</p> <ul style="list-style-type: none"> • Professionals adapting to child and parent's needs. • Is the child/ family safe to pull away from the exploitation? • Can we provide a plan to help the child move away from the exploitation? • Trusted relationship with a professional? 	<p>What is working well?</p>	<p>What are we worried about?</p>	<p>What needs to happen? Who is responsible?</p>	<p>Is this reflected in the child and family plan? Yes or No? If no, when will it be included?</p>

<ul style="list-style-type: none"> • Agencies able to engage. • What additional pressure may be placed on the child / family due to contact with professionals? • What has worked well previously? • What can we do to overcome any barrier? • Is there something that can be adapted to make it safe? 	Voice of the child and family:	Voice of the child and family:		
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Outline of work completed in relation to exploitation, impact of the work that has been completed and next steps? (To be completed by the person completing the exploitation interventions)	
Date: Analysis of current exploitation risk: Sign of Safety scaling 0-10 RAG rating: Red, Amber, Green	
Professional judgement in relation to exploitation?	<ul style="list-style-type: none"> ○ Child is being exploited and presents a risk of exploitation towards children (Evidence of exploitation or multi-agency professional judgement) ○ Child is being exploited (Evidence of exploitation or multi-agency professional judgement) ○ Child may be being exploited (Signs the child is exploited but no clear evidence) ○ Child we are worried about that may return to MACE in the future

- **Child is not being exploited (No signs or evidence the child is being exploited)**

Tell us online reporting: The Merseyside Police website is the quickest, easiest and most reliable way of sharing information with the police. As a partner agency simply go to the website and click 'Tell Us About' button. www.merseyside.police.uk

MACE: Date of MACE: _____ Chairs of MACE _____

Name		D.O.B	
Lead Practitioner		Agency	

Reason for referral into MACE	<ul style="list-style-type: none"> • Criminal Exploitation • Sexual Exploitation • Both
Context of exploitation	<p>Criminal:</p> <ul style="list-style-type: none"> • Out of borough drug dealing • In borough drug dealing • Storing weapons / drugs for others • Family linked to organised crime • Committing offences under coercion • Warning Signs • Financial • Online <p>Sexual:</p> <ul style="list-style-type: none"> • Online • Party • Exploitative Relationship • Adult / Lone Offender • Group / Gang • On Street • Peer • Warning Signs
Area Child resides in	<ul style="list-style-type: none"> • All areas of Knowsley to be listed • Out of borough

Area linked with exploitation	<ul style="list-style-type: none"> • All areas of Knowsley to be listed • Out of borough areas
Education, Training and Employment	Neurodevelopmental pathway: NEET: ECHP: School / College _____ Alternative provision _____ <hr/> Hours offered a week: 0-5, 5-10, 10-25

Date assessment completed:	Was the assessment completed in a multi-agency forum?
Is an NRM required? Yes or No? If Yes: Date NRM was completed:	Was the NRM completed in a multi-agency forum? Stage of NRM: _____
Police investigation update:	
Intelligence update: Updates from MARTHR and other contextual safeguarding forums:	
MACE discussion:	

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In relation to	Any actions required	Person responsible	Completed
Missing/ Absence			
Child			
Family/ Home			
External			

relationships Is any of the associations open to the MACE or have been referred to local policing for disruption?			
Education, Training and Employment			
Locations			
Social Media / phone / online			
Agencies engagement			

Exit strategy? Is the child turning 18 and risk is still evident.			

Suspected Exploiters:

<p>Adults we are worried about that may be exploiting the child:</p> <p>Children that we are worried about that may be exploiting the child:</p>	<p>Actions already taken:</p>	<p>Other actions required (consider 4 P'S):</p>
<p>Is the child presenting a risk towards children (Evidence of exploitation of others or multi-agency professional judgement?) (consideration of influencing younger siblings)</p>		

<p>MACE decision in relation to exploitation?</p>	<ul style="list-style-type: none"> ○ Child is being exploited and presents a risk of exploitation towards children (Evidence of exploitation or multi-agency professional judgement) ○ Child is being exploited (Evidence of exploitation or multi-agency professional judgement) ○ Child may be being exploited (Signs the child is exploited but no clear evidence) ○ Child we are worried about that may return to MACE in the future ○ Child is not being exploited (No signs or evidence the child is being exploited)
<p>MACE decision:</p>	<ul style="list-style-type: none"> ○ To bring back to MACE for review in _____ months' time ○ To remove from MACE and remove CE flags ○ Closed due to agencies being unable to engage and what action has been taken _____ ○ MACE _____ chair _____ escalation _____ required: Yes/No Details: _____ outcome _____ ○ Child we are worried about: advice given around prevention intervention _____.

Is there any intelligence that needs to be reported? www.merseyside.police.uk

Appendix C

MACE Questions for consideration: Professional Self-Challenge

Based on JTAI CE Guidance February 2020. Questions asked by Inspectors.

- 1. Was the referral for MACE action timely for the child?**
 - If not, what is the impact, can we learn and give feedback to prevent?
 - Escalate if required.
- 2. Is risk identified, understood and prioritised? Does the child appear to be safe?**
 - If we don't understand the risk, what are we doing to try and understand it?
 - What immediate SMART actions need to be raised?
 - Do we need to alert anyone else?
 - Perps/Risky people or themes? What are we doing to disrupt?
- 3. Has decision-making matched the priority risks and needs?**
 - What is the biggest risk? Are we addressing this?
- 4. When an assessment has been completed, are risks, needs and strengths clear? Is the assessment regularly updated to reflect changing risks and need?**
 - CE Assessment review period – set based on risk.
 - Review if information changes.
- 5. When an assessment has been completed does it identify risks to any other children (including siblings)?**
- 6. When relevant partners identify places where risks exist (for example, schools, parks or streets) is action taken to address contextual risks?**
 - MARTHR. TH&R, ASB Meetings.
- 7. Is there a plan for the child that addresses risks and needs? Is it making a difference?**
 - Link to the CLA/CP/CiN/EH/Risk Plan – Understand how this is addressing the vulnerability?
 - Is the CE Assessment or agency update showing a reduction in risk? Be clear if so.
 - Is this only because we haven't had any reporting/contact or compliance?
- 8. Is the plan regularly updated and reviewed to reflect changing risk and need?**
 - Link to the CLA/CP/CiN Plan – Get an overview of how this is addressing the vulnerability?
- 9. Is the child supported to engage in the work at all stages, including in direct work to address the impact of exploitation? Are parents/carers involved at all stages?**
 - Do we have a professional developing a trusted relationship?
 - Evidence of persistence?
 - Review and assess why not working.
 - Engage different approaches.
- 10. Have individual needs and circumstances been taken into account?**
 - Child's voice evident?
 - Diagnosed learning need? – Is this being addressed with support?
 - Demographic/Factors that may need consideration?
 - Subject to abuse? - Therapeutic help and good quality support?
 - Contextual factors relevant to the child/family?
- 11. Do agencies work together effectively to reduce risk to the child?**
 - Other CVS/Agencies not here that can support/help?
 - What are the blockages to us reducing the risk here?
 - What approach is being taken with the perpetrator(s)?
 - How are we trying to identify possible perpetrator(s)?

Appendix D

Language agencies should use to describe a child's behaviour

Language is an important part of how we identify and assess exploitation. Guidance on language agencies should use to describe a child's situation and behaviour:

<i>"He/she is drug running"</i>	The child is being trafficked for the purpose of criminal exploitation
<i>"Recruit/ run/ work"</i>	This implies there is a level of choice by the child regarding their exploitation and does not take into consideration the grooming, coercion, threats and violence. More appropriate description: The child is being criminally exploited.
<i>"He/she is choosing this lifestyle"</i>	This implies choice or control by the child. More appropriate description: The child is being exploited.
<i>"Putting themselves at risk"</i>	This implies choice or control by the child. More appropriate description: The child is being criminally exploited Child may have been groomed The child is at an increased vulnerability to being abused/exploited Location/ situation could increase a perpetrators opportunity to abuse a child The location is dangerous to children Concerns regarding other's influences on the child
<i>"Promiscuous"</i>	This puts the blame on the child and implies the child is in full control of what is happening. More appropriate description: The child is either being exploited or vulnerable to exploitation.
<i>"Involved in CSE or CCE"</i>	This implies choice or control by the child. More appropriate description: The child is being exploited.
<i>"Sexually active since (age under 13)"</i>	The child has/may have been sexually assaulted or raped. Concerns exist that the child may have been coerced, exploited or sexually abused
<i>"Streetwise"</i>	This implies the child is able to keep themselves safe and is fully able to manage situations that present risk.

'Child is being offered drugs in return for sex'	<p>Child is being sexually exploited.</p> <p>Concerns that the child has been raped. Perpetrators are sexually abusing the child.</p> <p>The child is being sexually abused. The child's vulnerability regarding drug use is being used by others to abuse them.</p> <p>The perpetrators have a hold over the child due to the fact that they are drug dependent.</p>
'Prostituting themselves'	<p>This completely misses that the child is being manipulated and controlled. Changes in legislation have meant that child prostitution is no longer an acceptable term and should never be used.</p>
'Boyfriend/Girlfriend'	<p>Children have been challenged in court with practitioner's recordings where their practitioner has referred to the perpetrator as the child's boyfriend/girlfriend.</p>
'Sexual activity with...'	<p>They have been sexually abused. They have been raped. Allegation of sexual abuse. Child has described sexual activity, however concerns exist that the child may have been groomed/coerced.</p>
'Spending time/associating with 'elders''	<p>The young person says that they are friends with a person and there are concerns about that person's age, the imbalance of power, exploitation, offending.</p> <p>The young person has been groomed, exploited, controlled. If the 'elder' is under the age of 18 years old- this will also need to be considered using child protection processes.</p>
'boyfriend/girlfriend'	<p>Children have been challenged in court with practitioner's recordings where their practitioner has referred to the perpetrator as the child's boyfriend/girlfriend.</p> <p>Other words: Abuser Exploiter Perpetrator</p>

Appendix E

Links to Local Safeguarding Processes

CE Concerns should be forwarded to Children's Social Care using the Multi Agency Referral Form used by the local authority area.

Links to each local authority area's safeguarding procedures and referral forms are detailed below:

Liverpool

http://www.liverpoolscb.org/reporting_concerns.html

Sefton

<http://www.seftonlscb.co.uk/worried-about-a-child.aspx>

Knowsley

http://lmbcdev.co.uk/kscb/?page_id=87

St Helens

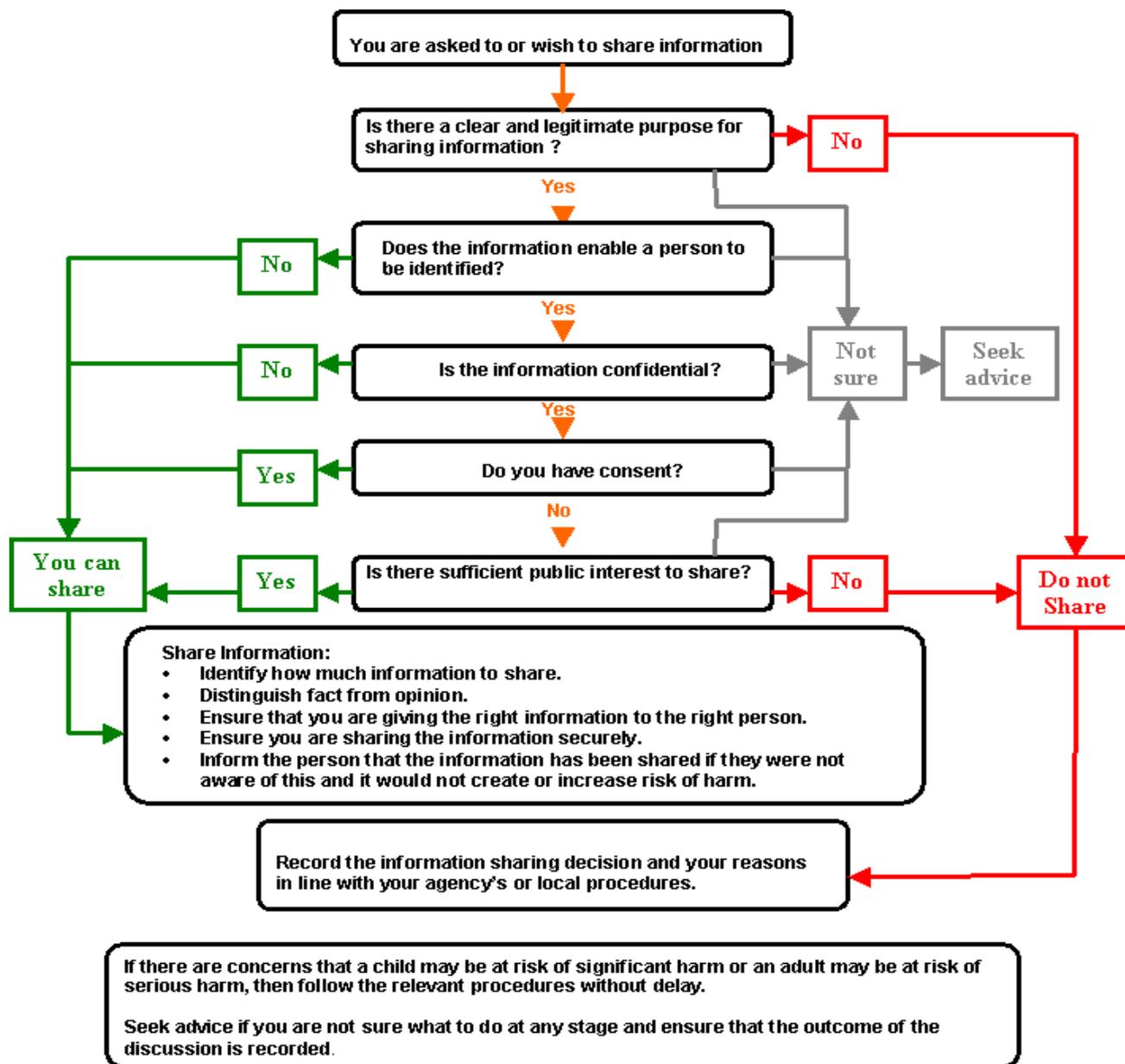
<http://sthelenslscb.org.uk/if-you-have-any-concerns/>

Wirral

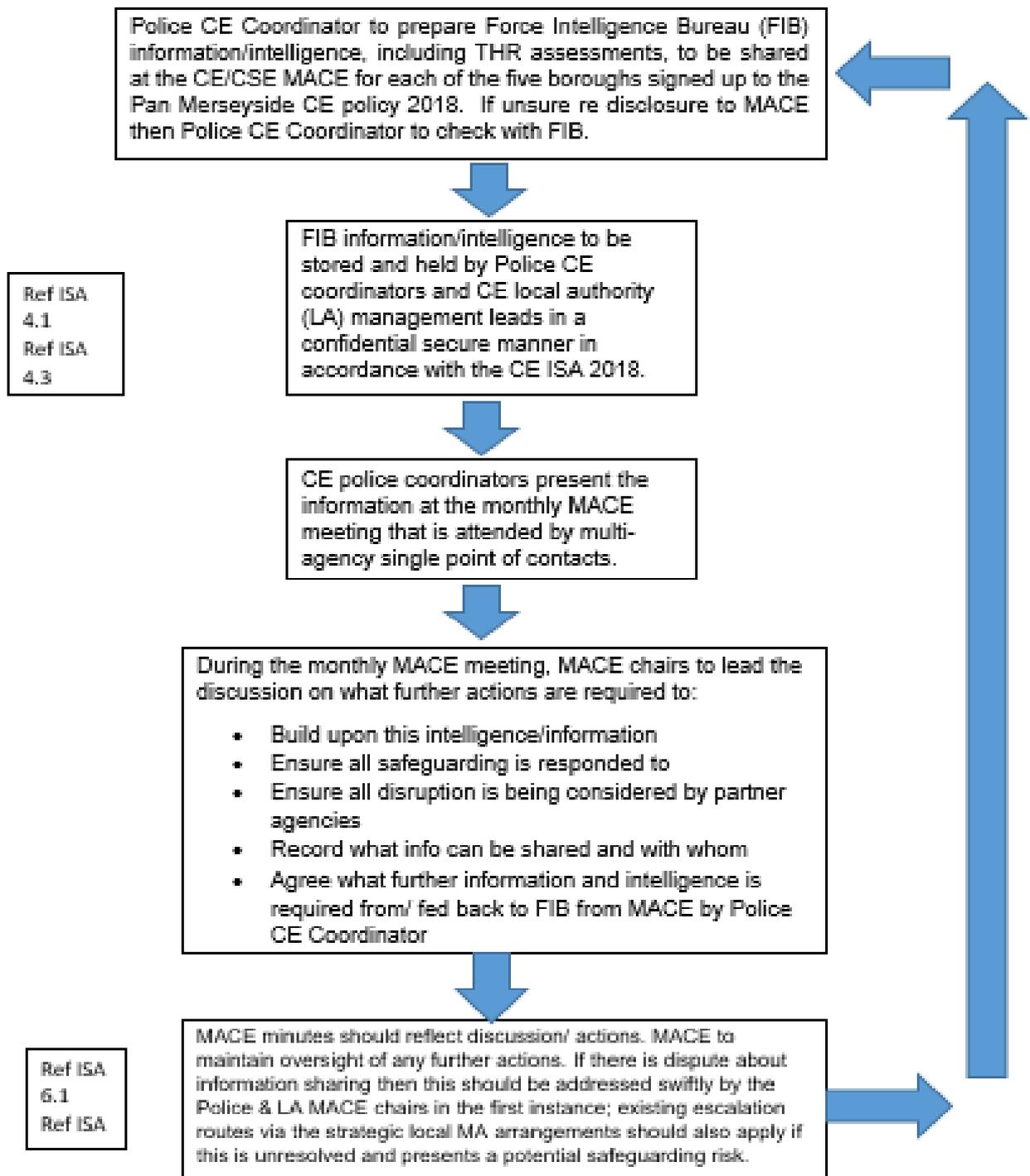
<http://www.wirral.gov.uk/my-services/children-service/local-safeguarding-childrens-board/information-professionals/worried-about-child>

Please see each LSCB website for local Child Exploitation Protocols and operational pathways.

Flowchart of key questions for information sharing



Pathway: CE Intelligence/Information Sharing via MACE Process



This process is in accordance with the information sharing agreement (ISA) contained in the Pan Merseyside CE Policy 2018 relevant sections of the ISA are referenced above. It is the readers responsibility to ensure that they are familiar with the Pan Merseyside ISA.

Appendix G

Parties acknowledge the imminent change in legislation by the introduction of General Data Protection Regulations (GDPR) and the Data Protection Act on the 25/05/2018 and will work together to update this Information Sharing Agreement to become compliant with the new legislation

INFORMATION SHARING AGREEMENT

INTRODUCTION

- 1.1 The aim of this Agreement is to define the specific purposes for which Merseyside Police and Partners have agreed to share information; namely to increase the safety, health and wellbeing of victims of/or at risk of Child Exploitation (CE), for the prevention and detection of crime and maintenance of community safety.
- It is envisaged that relevant information will be shared regarding referrals involving both adults and children where vulnerability is identified. Long established methods of sharing information between agencies has been key to identifying thresholds and suitable referral pathways.
- 1.2 This Agreement sets out the legal provisions relating to personal data sharing and takes account of the relevant Codes of Practice in respect of the sharing of personal data held by the Merseyside Police (MOPI Guidance, the ACPO Data Protection Manual of Guidance and ICO Data Sharing Code of Practice).
- 1.3 This Agreement contains details of the standards agreed by the Parties involved in the sharing of personal data and personally identifiable information so as to maintain confidentiality, integrity and compliance with the data protection principles, whilst ensuring that information is shared with those who 'need to know'.
- 1.4 Requests for information will be considered on a case by case basis in light of this Agreement and the relevant legal parameters identified concerning the sharing of personal data. The MASH enables co-located professionals to make this expedited judgment together and record the decision to share the information, along with the rationale.
- 1.5 Information shared under this Agreement must not be disclosed to any persons who are not Parties to it (including other business area within the same organisation) without prior consent of the information provider(s), or if there is any risk that the requirements of this Agreement might be breached.

PURPOSE OF THIS AGREEMENT

- 2.1 The purpose of this Agreement is to establish the procedures for the lawful, secure and effective exchange of information between the parties, in order to enable the parties to share relevant information in a comprehensive, transparent and consensual manner in the interests of safeguarding children and to work towards the maintenance of community safety and the prevention and detection of crime and disorder.
- 2.2 This section states that the purpose for parties to share information is:
- To increase the safety, health and wellbeing of victims of/or at risk of criminal exploitation;
 - Better informed decision making and partnership working to identify and manage risk of serious harm;

- Keeping victims safe, promoting safer communities;

- Prevention and detection of crime and disorder;
- Identify and target offenders;
- Determine if the perpetrator poses a significant risk to any particular individual or to the general community;
- Jointly construct and implement a risk management plan that provides professional support to all those at risk and reduces the risk of harm;
- To identify thresholds and suitable pathways;
- To enable agreement on appropriate intervention.

The Children's Act 2004 emphasises the importance of safeguarding children by stating that relevant partner agencies must make sure that functions are discharged having regard to the need to safeguard and promote the welfare of children. The Act also states that they must make arrangements to promote co-operation between relevant partner agencies to improve the wellbeing of children in their area.

Wellbeing is defined as relating to a child's:

- Physical and mental health and emotional, wellbeing (be healthy)
- Protection from harm and neglect (stay safe)
- Education, training and recreation (enjoy and achieve)
- The contribution made by them to society (make a positive contribution)
- Social and economic wellbeing (achieve economic wellbeing)

For the purpose of this Information Sharing Agreement the term child means anyone under the age of 18.

Accordingly, relevant partner agencies are also expected to comply with the requirements of Working Together 2015 and the associated Information Sharing guidance for practitioners and managers.

LEGAL CONSIDERATIONS FOR SHARING

- 3.1** The sharing of information must have due consideration with the law relating to confidentiality, data protection and human rights. Cognisance should be given to whether it is reasonable to gain full consent of the Data Subject.
- 3.2** When the consent of a Data Subject is refused or it is not reasonable to seek consent, legal powers must be identified on a case by case basis.
- 3.3** There will be consideration of the implications of Article 8 of the European Convention on Human Rights, which provides an individual right to respect for private and family life, home and correspondence. This is a qualified right and where no consent has been obtained, it will be necessary to ensure that the data sharing is in accordance with the law and necessary in a democratic society in the interests of national security, public safety, prevention of crime and disorder. The information to be exchanged must be proportionate for the needs of this Agreement.
- 3.4** The power for Merseyside Police to share information is founded on the common Law for policing purposes. The Code of Practice on the Management of Police Information (MoPI) defines the policing purposes as:
- Protection of life and property;
 - Preserving order;
 - Preventing the commissioning of offences;
 - Bringing offenders to Justice;
 - Any duty or responsibility arising from common or statute law.

- 3.5** The Data Protection Act 1998 applies if the information is personal data relating to a living individual and held on a computer or as part of a 'relevant filing system' in hard copy material (see glossary). To process information, the Data Controller must ensure compliance with the principles of the Data Protection Act. Specific consideration must be given as to whether the information will be processed fairly and lawfully and for the specified purpose for which it is held.
- 3.6** The joint legal considerations for sharing of information in a MASH.

First Principle

The first data protection principle states that data must be processed lawfully and fairly and in accordance with a condition in schedule 2 for personal data and a condition in both schedules 2 and 3 in respect of sensitive personal data of the Data Protection Act 1998.

A public authority must only share personal data when there is an identified legal power to do so. If the information to be shared falls into the statutory threshold of section 17 of section 47 of the Children's Act 1989 then this will provide the legal gateway for the sharing of the information (because of the provisions in section 35 DPA).

Sections 10 and 11 of the Children's Act 2004 places new obligations upon the Police, Local Authorities and Primary Care Trusts to cooperate with other relevant partners in promoting the welfare of children and also ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children. This piece of legislation gives the statutory power to share information for the purposes of this Agreement.

Although section 29 of the Data Protection Act 1998 does give a power to disclose information, it does not provide a legal obligation to do so. It does state that if not disclosing information would prejudice the prevention/detection of crime and/or the apprehension/prosecution of offenders, personal data can be disclosed. Under this agreement, if not disclosing information to the MASH would prejudice the reasons listed above, organisations are exempt from the usual non-disclosure provisions and may share the information requested. This will be decided on a case by case basis.

The conditions for disclosure that are relevant to this document are in Schedules 2 and 3 of the Data Protection Act 1998 and include conditions 3 (legal obligation) and 5 (administration of justice) of Schedule 2, as well as condition 4 (vital interests of the data subject). Schedule 3 conditions 6 and 7 are also relevant to the processing of sensitive personal information and its disclosure.

The Data Protection Act permits the sharing of personal information when it is: In the vital interest of the data subject, or in the public interest.

Duty of Confidence

Data subjects will have a legitimate expectation that the Police will act appropriately with regards to the sharing of their information for the purposes of preventing harm to or promoting the welfare of vulnerable people. When applying proportionality and necessity to the decision to share this information with partner agencies, the protection of children and/or other vulnerable people would usually fulfil a public interest test as long as that disclosed is relevant and proportionate.

Information held by other agencies that will be shared in the MASH may have been gathered where a duty of confidence is owed. Duty of confidence is not an absolute bar to disclosure, as information can be shared where consent has been provided or where there is a strong enough public interest test to do so, or the law allows such sharing.

Obtaining consent remains a matter of good practice and in circumstances where it is appropriate and possible, explicit consent should be sought and freely given by the data subject.

However, in many cases the aims of the MASH might be prejudiced if agencies were to seek consent. In such cases the disclosing agency must consider possible grounds to override the consent issue. It is possible to disclose personal information without consent if this is in the defined category of public interest.

The public interest criteria include:

- The administration of justice;
- Maintaining public safety;
- The apprehension of offenders;
- The prevention of crime and disorder;
- The detection of crime;
- The protection of vulnerable members of the community.

When judging the public interest, it is necessary to consider the following:

- Is the intended disclosure proportionate to the intended aim?
- What is the vulnerability of those who are at risk?
- What is the impact of disclosure likely to be on the individual?
- Is there another quality effective means of achieving the same aim?
- Is the disclosure necessary to prevent or detect crime and uphold rights and freedoms of the public?
- Is it necessary to disclose the information, to protect other vulnerable people?

The rule of proportionality should be applied to ensure that a fair balance is achieved between the public interest and the rights of the data subject.

All disclosures must be relevant and proportionate to the intended aim of the disclosure.

Fair Processing

It is a requirement of the Data Protection Act 1998 that all organisations that process personal data should have a fair processing notice, which will inform individuals about how their personal data will be used by that organisation. This notice will cover;

- The identity of the data controller.
- The identity of the representative.
- If the data controller has nominated a representative for the purposes of the Act - the identity of that representative.

The purpose or purposes for which the data are intended to be processed.

Any further information which is necessary, taking into account the specific circumstances in which the data are or, are to be processed, to enable processing in respect of the data subject to be fair.

A notice explaining the concept of MASH and how it works in Merseyside will be made available on relevant agency websites.

Section 29 of the Data Protection Act 1998 allows agencies to share information if, complying with the fair processing conditions, would be likely to prejudice the purposes of the prevention of detection of crime and/or the apprehension and prosecution of offenders. If staff or signatory agencies receive information which they believe that, by not disclosing the information, the Police will be unable to prevent or detect crime or the Police will be unable to apprehend or prosecute an offender, then they may fairly share that information with the Police.

Legitimate Expectation

The sharing of relevant information by the Police fulfils a policing purpose, in that it will be done in order to protect life in some circumstances and in other it will fulfil a duty upon the Police provided by statute law (Children's Act 2004) i.e. cooperation to improve the well-being of

children.

It can reasonable be assumed that the persons from whom information is obtained will legitimately expect that the Police will share it appropriately with any person or agency that will assist in fulfilling the policing purposes mentioned above.

In cases where legitimate consent can be obtained this will be done. Individuals will have a legitimate expectation of how their data is going to be used and with whom it will be shared and why.

The Information Sharing Agreement will be published as part of a Public Authorities Publication Scheme, in line with the Freedom of Information Act 2000, which provides opportunity for members of the public to understand how personal information may be used within the MASH.

Human Rights Act – Article 8: The Right to Respect for Private and Family Life, Home and Correspondence. There shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic wellbeing of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

The sharing of information with Children's Services may be in contravention of Article 8, however the benefits of effective sharing of information for the purposes of this Agreement are to the direct benefit of the citizen and, therefore, are in the public interest. This Agreement is:

In pursuit of a legitimate aim

The promotion of the welfare and wellbeing of children and ensuring that they achieve all five outcomes is, by virtue of Section 11 of the Children Act 2004, a legitimate aim and is the major responsibility of the signatories to this Agreement. The Sharing of Information under this Agreement is also in line with Articles 2 and 3 of the Human Rights Act 1988, namely the Right to Life and the Right to Prohibition of Torture or Inhumane or Degrading Treatment.

Proportionate

The amount and type of information shared will only be the minimum necessary to achieve the aim of this Agreement. Information is always to be considered in terms of its proportionality in each set of circumstances, but it must always be remembered that the right to life is paramount.

An activity appropriate and necessary in a democratic society.

The Police are obliged to do all that is reasonable to ensure the welfare of the most vulnerable people and this is something that is necessary and appropriate in a democratic society. Other signatories to this Agreement, such as Health and Children's Services also have similar obligations, which are necessary and appropriate in a democratic society.

Schedule 2, Data Protection Act 1998

In addition to the legal criteria set out above, the Information Sharing Agreement must satisfy at least one condition in Schedule 2 of the Data Protection Act in relation to personal data.

Schedule 2 is satisfied in the case of this Agreement by Condition 5 (b) (The exercise of functions conferred under the statute) as there is an implied gateway available for the Sharing of Information in these circumstances under Section 11 Children Act 2004, which obliges the relevant agencies to ensure that their functions are discharged having regard to the need to safeguard and promote the welfare of children.

Where the consent of the individual is received, Condition 1 (data subject has given consent to the processing of their data) will apply.

Schedule 3, Data Protection Act 1998

If the information is sensitive (that is where it relates to race, ethnic origin, political opinions, religion or belief system, membership of a Trade Union, physical/mental health or sexual life, the

commission or alleged commission of any offence, proceedings related to the offence) you must satisfy at least one condition is Schedule 3.

Schedule 3 is satisfied in the case of this Agreement by Condition 7; the processing is necessary for the exercise of any functions conferred on any person by, or under, an enactment (i.e. Children's Act 2004).

Where the consent of the individual is received, Condition 1 (data subject has given explicit consent to the processing of their data) will apply.

- 3.7** For the purpose of this Agreement, the parties will be Data Controllers in their own right, as defined under the Data Protection Act 1998 and will be required to comply with the provisions of the Act. Accordingly, it is the responsibility of each party to ensure that they have appropriate agreements in place with regard to the processing of information that is personal data on their behalf.
- 3.8** In addition, under the Data Protection Act, Data Subjects have a right of access to records that are held about them. Further details are set out at Section 8.
- 3.9** The parties will take account of the Common Law Duty of Confidence in respect of identifiable information.
- 3.10** The Common Law Duty of Confidentiality requires, that unless there is a statutory provision to use information that has been provided in confidence, it should only be used for that purpose(s) for which the subject has been informed and has consented.
- 3.11** The Common Law duty is not absolute and can be over ruled if the disclosure is in the public interest (e.g. to protect others from harm). The information to be shared within the context of this Agreement will contain information that has been received in confidence by any of the parties to this Agreement.

Most information given to the Police will carry with it a legitimate expectation by the provider of the information that it will be used in the detection or prevention of crime or for other legitimate policing purposes. Therefore, the decision whether or not to share information will be on a case by case basis.

The MASH will enable co-located professionals to make this expedited judgment and record the decision to share along with the rationale.

3.12 Caldicott Guardian

As a result of the 1997 report of the review of Patient Identifiable Information chaired by Dame Fiona Caldicott (the Caldicott report), each NHS organisation has appointed a guardian of person based clinical information to oversee the arrangements for the use and sharing of clinical information. Subsequently, the requirement to appoint Caldicott guardians was extended into Councils with social care responsibilities.

A key recommendation of the Caldicott committee was that every use or flow of patient identifiable information should be regularly justified and routinely tested against the principles developed in the Caldicott Report.

Principle 1 – Justify the purpose for using confidential information. Principle 2 – Only use it when absolutely necessary.

Principle 3 – Use the minimum that is required.

Principle 4 – Access should be on a strict 'need to know' basis. Principle 5 – Everyone must understand his or her responsibilities. Principle 6 – Understand and comply with the law.

The MASH will operate within Caldicott guidelines.

RESTRICTIONS ON USE OF INFORMATION

- 4.1** Information must be treated as private and confidential and will not be divulged or communicated to any third parties (including other business areas within the same organisation) without prior consent of the information provider, provided this shall not restrict usage that is necessary for the purposes set out in Paragraph 3.4.

Decisions about who needs to know and what needs to be known will be made on a case by case basis and should, in every case, be within the constraints of the legal framework shown in Paragraph 3.6.

Decisions made in respect of Child Exploitation (CE) cases, actions and associated rationale should be recorded on the CE2.

Staff co-located within the MASH should ensure that spontaneous decisions made within the confines of the hub are documented adequately so as to satisfy the regulations herein and in a manner that enable them to be created, stored, managed, audited and destroyed accordingly.

- 4.2** Information will not be matched with any other personal data otherwise obtained from the disclosing party or any other sources, apart from the purpose specified on the Request for Personal Data made to parties to this Agreement, unless specifically authorised in writing by the disclosing party.

- 4.3** Access to the information will be restricted to authorised employees of partner agencies to this Agreement as approved by Merseyside Police.

Each participating agency is responsible for ensuring that reasonable efforts have been made to establish the trustworthiness and integrity of the individuals who process personal and other sensitive information covered by the terms of this protocol.

These individuals must be aware of the requirement for them to process personal and other sensitive information securely, in compliance with the relative legislation and, only for the purposes prescribed by this document.

WORKING PROCEDURES

- 5.1** All personal data remains the property of the disclosing agency and is the responsibility of the Data Controller. Each of the participating agencies will have a Data Controller. This will be a senior officer who will ensure that received data is processed only for the purposes for which it was received.

Each partner must appoint a Single Point of Contact (SPOC). The SPOC will be responsible for administering this Agreement.

If the SPOC is unavailable then the duties can be delegated to a suitably trained person. In order that information flows expeditiously and remains under control, parties co-located within a MASH will be more readily able to manage the process.

- 5.2** All parties may, by agreement in writing, change their identified SPOC(s).
- 5.3** Employees of the parties will be responsible for processing information in compliance with this Agreement.
- 5.4** The named employees of partner agencies will ensure that any requests for information are made in writing using an agreed format.
- 5.5** All parties will maintain an auditable a record of all information sharing.
- 5.6** Signatories the Agreement must review and weed data as per Paragraph 8.3

- 5.7** In certain circumstances, it may be necessary to seek information urgently and, in such cases, the information may be sought and disclosed verbally. Where this is the case, each party must keep a record of the request and the response by the completion (in retrospect) of the usual forms.
- 5.8** The data disclosed must be treated as private and confidential and will not be divulged or communicated to any third parties (including other business areas within the same organisation) without prior consent of the information provider.
- 5.9** Any issues arising in respect of the procedures referred to within this Agreement should be referred to the relevant signatories.

DATA

6.1 Examples of data that may be shared include:

- Name of subject and other family members, their carers and other persons whose presence and/or relationship with the subject is relevant to identifying and assessing the risk to that person;
- Age/date of birth of the subject and other family members, carers or other significant person;
- Ethnic origin of the subject and other family members, carers or other significant person;
- Relevant Police information and intelligence;
- Relevant school and educational information of the subject and other family members, carers or other significant person;
- GP and health records (to include family members where appropriate and relevant);
- Relevant ASB data;
- Relevant data from North West Ambulance Service and Merseyside Fire and Rescue Service, where appropriate;
- Relevant housing and other partnership data relevant to the subject;
- Relevant information about offenders known to the Probation/YOS services;
- MARAC information, where appropriate;
- MACE meeting information and referrals.

Not all of the above information will be shared in every case. Only relevant information will be shared on a case by case basis where an organisation has a need to know about the information.

- 6.2** The parties agree to apply appropriate security measures in accordance with Principle 7 of the Data Protection Act 1998, which states that “appropriate technical and organisation measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction or damage to personal data”.
- 6.3** If any party to this Agreement becomes aware of a security breach or breach of confidence in relation to the data covered by this Agreement or breach of Terms of the Agreement, the party with responsibility for the area of activity in which the breach occurred shall:
- Report the breach immediately to Merseyside Police Information Governance Manager;
 - Report it to the relevant parties immediately;
 - Immediately investigate the cause, effect and extent of the breach;
 - Report the results of the investigation to the other parties without delay;
 - Use all reasonable efforts to rectify the cause of such breach.

Any disclosure of information by an employee which is deemed to have been undertaken for illegal or otherwise unscrupulous purposes (for instance, actions undertaken in bad faith or for motives of personal gain) will be subject of an investigation and be treated as a serious matter.

Each party will be accountable for any misuse of the information supplied to it and the consequences of such misuse by its employees, servants or agents.

- 6.4** In order to protect the integrity and confidentiality of the information that is held, it is the

responsibility of all agencies that are signatories to this Information Sharing Agreement to ensure that there are adequate security arrangements in place.

- 6.5** Agencies who are signatories to this Information Sharing Agreement, agree that: Each agency is responsible for the safe and confidential storage of case information; Access to agency computer databases is restricted to authorised personnel only; When leaving computers for short periods, users must activate secure screen locks or log off from the password protected application or account that contains personal or sensitive information. When leaving computers for longer periods or when leaving the premises, users must close down their computer accounts;

Access to the information must be restricted to users who have the authority to see such information and for the agreed purpose.

- 6.6** Confidential information or intelligence that is deemed necessary to share with partner agencies must be handled by management level in the partner agencies.
- 6.7** The parties are required to handle all data received in accordance with the protective marking shown. If no marking is shown the data should be handled in accordance with at least **RESTRICTED GPMS** marking. This includes ensuring that all data exchanged as a function of this Agreement is stored securely, is only accessible to authorised persons, is not altered, lost or destroyed, is retrieved and transmitted only by property authorised persons and that the information remains accessible by the organisation for business continuity purposes.
- 6.8** Where data is shared by e-mail the parties agree to set up a secure e-mail account within the Criminal Justice Extranet. Recognised secure sites:
pnn.polic.uk
gsi.gov.uk
gsx.gov.uk
gss.net.uk
cjsm.net
nhs.net
- 6.9** Merseyside Police reserve the right to conduct a Site Security Assessment to establish that an appropriate level of security is provided by the partner agency at a time and date convenient to both parties prior to the commencement of the sharing. If recommendations are made by Merseyside Police these should be implemented by the partner agency prior to the commencement of the sharing.
- 6.10** During the term of this Agreement, the Chief Constable reserves the right to undertake a review of security provided by any party and may request reasonable access during normal working hours to the other party's premises for this purpose. Failure to provide sufficient guarantees in respect of adequate security measures will result in the termination of this Agreement. Relevant personnel as delegated by Merseyside Police shall undertake these checks.
- 6.11** The Chief Constable may wish to undertake reliability and suitability checks on any persons having access to the Data and further reserves the right to issue instructions that particular individuals shall not be able to participate in the processing of the Data without reasons being given for this decision. Upon request, all persons having access to personal data as part of this Agreement will be required to give consent to background enquiries in accordance with Merseyside Police Vetting Policy.
- 6.12** The partner agency agrees to comply with all reasonable requirements concerning the storage, access or use of any Data as may from time to time be made by the Information Governance Manager
- 6.13** Upon request the Partner Agency will provide the Information Governance Manager with a copy of its documentation describing its security policies and procedures and working practices prior to commencement of this Agreement. Where the standards set out in this Agreement differ from those set out in the documentation those affording greater security should be adhered to.

- 6.14** The partner agency undertakes not to use the services of any sub-contractors in connection with the processing of the Data without the prior written approval of the Information Governance Manager. Furthermore any access to the premises used to process the Data by maintenance or repair contractors, cleaners or other non-authorized persons must be closely supervised to ensure that there is no access to the Data.
- 6.15** Any information security breaches, including threats, weaknesses, and incidents of unlawful processing, accidental loss, destruction or damage to data where Merseyside Police is identified as being the data owner or a relevant partner must be reported immediately to the Anti-Corruption Unit using the Information Security Breach report.
- 6.16** The partners recognise that additional powers to serve assessment notices on public authorities have been granted to the information Commissioner. These powers allow access to premises, records and staff etc. to inspect security and compliance with the Data Protection principles. New powers also allow the Information Commissioner to levy fines up to £500,000 for any breaches.
- 6.17** If there are any doubts about the security of the information being shared the force Information Governance Manager must be consulted.

INDIVIDUAL RIGHTS TO ACCESS INFORMATION EXCHANGED

- 7.1** The receipt from a Data Subject of a request to access information that includes information provided by Merseyside Police must be reported to the Merseyside Police Disclosure Manager (Information Bureau) within five working days and in any event prior to any response to the applicant.
- 7.2** Any request for information under the provisions of the Freedom of Information Act 2000 (FOI) or the Environmental Information Regulations 2004 (EIR) should be referred to the Merseyside Police FOI Team (Information Bureau) by way of consultation as soon as any signatory to the Agreement becomes aware that the scope of the request includes a request for information provided by Merseyside Police. However, the recipient of the request remains responsible for the FOI response to be provided, unless the FOI request is formally transferred.

REVIEW, RETENTION AND DISPOSAL

- 8.1** This Agreement will be reviewed initially after six months from signing and annually thereafter to ensure that it is valid, relevant and up to date.
- 8.2** Any proposed amendments to the Agreement must be notified to the Merseyside signatory and must be agreed in writing by the parties. All amendments and revised Agreements must be forward to the Information Governance Manager, Merseyside Police.
- 8.3** Information must not be retained for longer than is necessary for the purpose for which it has been disclosed. Records of information shared will be retained for an initial period of six years (as recommended by MOPI). They must then be reviewed to establish any continuing necessity to retain them.
- 8.4** Information will be disposed of securely in line with each party's respective record management procedures. If electronic information is to be deleted, specific software must be employed to ensure its total erasure.

AUDIT

- 9.1** The parties will maintain a complete record of all the data requested by and supplied to other parties. This must include;
- Information shared and for what purpose;
 - who it was shared with;
 - when it was shared;

- justification for sharing;
- reasoning/rationale for not sharing.

9.2 In order to assess compliance with the Data Protection Act 1988, parties acknowledge that Merseyside Police reserves the right to audit all processing of the data supplied by them under the terms of this Agreement. Upon reasonable notice in writing, the parties agree to allow access to their premises for this purpose.

9.3 The requirement for such an audit will be determined by an assessment of the particular risks to Merseyside Police posed by the processing of data under this Agreement.

COMPLAINTS

10.1 Parties will give all reasonable assistance, as is necessary, to the relevant Data Controller to enable him to:

- Respond to the Information Notices served by the Information Commissioner.
- Investigate any breach of the Agreement.

10.2 If a complaint is received by a third party relating to use of information that is personal data and the complaint is the Data Subject and it relates to a breach of the Agreement, the complaint should be referred to the signatory of the party whose action is the subject of the complaint and that signatory will take appropriate action.

TERMINATION OF THE AGREEMENT

11.1 Any party may at any time, in writing, terminate this Agreement if any party is in material breach of any obligation under this Agreement or if either party believes that after reviewing the operation of the Agreement it should be ended or replaced by a new Agreement.

11.2 If an Agreement is terminated in respect of a material breach of it then the terminating party will provide a written notice of one week. Otherwise, one calendar months' notice of termination will be required. During the period of such notice, information sharing will not take place with the withdrawing party.

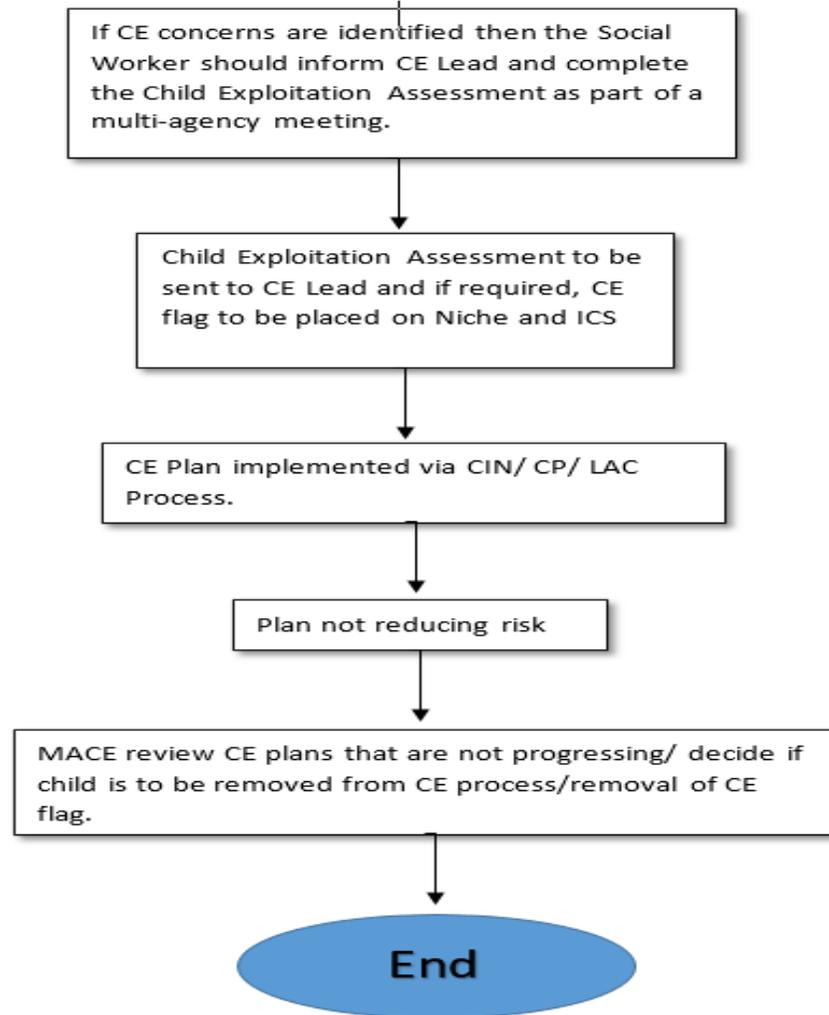
11.3 The obligations of or confidentiality imposed on the parties by this Agreement shall continue in full force and effect after termination of this Agreement.

INDEMNITY AND SIGNATURES

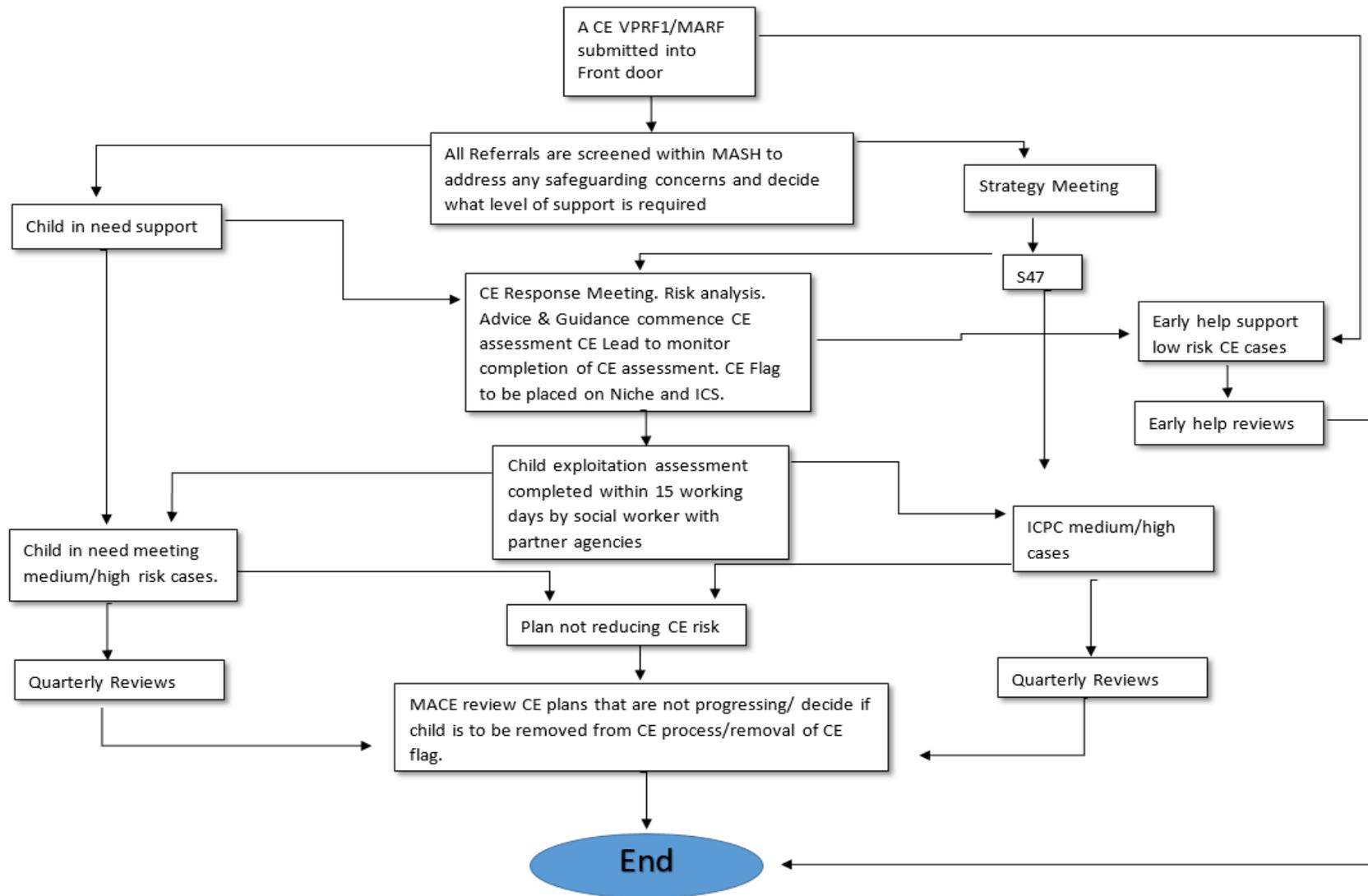
12.1 Each agency will keep the other agencies indemnified against any and all costs, expenses, claims and liabilities arising out of any breach of this Agreement and, in particular, but without limitation, the unauthorised or unlawful access, loss, theft, use, destruction or disclosure by the offending agency or its employees, agents or any other person with control of the offending agency of any data obtained in connection with this Agreement.

Appendix I

Liverpool Process Map for children open to Children's Services



Liverpool Process Map not open to Children's Services



Appendix J

Signatories to the Protocol

Each of the 5 Safeguarding Partnerships across Merseyside (Liverpool, Knowsley, Sefton, St Helens and Wirral) have approved this Protocol.

This Protocol has been signed on behalf of the 5 Safeguarding Board/Partnerships Chairs and the Chief Constable of Merseyside Police.

<p>Liverpool Safeguarding Children's Partnership</p> <p>Title: Chair Signature</p>	 <p>Date 14.01.21</p>
<p>Wirral Safeguarding Children's Partnership</p> <p>Title: David Robbins, Chair WSCP</p>	 <p>Date: May 2020</p>

<p>St Helens Safeguarding Children's Partnership</p> <p>Title: Sarah O'Brien, Chair StHLSCP</p>	<p></p> <p>Date 02.04.20</p>
<p>Knowsley Safeguarding Children's Partnership</p> <p>Title: Audrey Williams, Chair KSCP</p>	<p></p> <p>Date 02.04.20</p>
<p>Sefton Safeguarding Children's Board</p> <p>Title: Paula St Aubyn, Chair LSCB</p>	<p></p> <p>Date 27.05.20</p>
<p>Merseyside Police Assistant Chief Constable</p> <p>Signature ACC Ian Critchley QPM</p>	<p></p> <p>Date 22.06.2020</p>

