

CHILD PROTECTION CONFERENCES

Guidance for Partner Agencies on the Use, Recording, Dissemination and Handling of Police Information

Introduction

The initial Child Protection Conference brings together family members, the child who is the subject of the conference (where appropriate) and those professionals most involved with the child and family, following section 47 enquiries. One of the purposes is to bring together and analyse, in an inter-agency setting, the information which has been obtained about the child's developmental needs and the parents' or carers' capacity to respond to these needs to ensure the child's safety and promote the child's health and development, within the context of their wider family and environment

Parents should be clear about the evidence of significant harm which resulted in the child becoming the subject of a child protection case conference process. What is needed to change and about what is expected of them as part of implementing any child protection plan for safeguarding and promoting their child's welfare.

All parties should be clear about the respective roles and responsibilities of family members and different agencies in implementing any child protection plan.

Reason for Guidance

To ensure partner agencies and individuals are aware of their responsibilities with regards to use, handling, security and dissemination of police information, to avoid third party information being inadvertently disclosed to the parent and/or third party which could breach the data protection rights of an individual and/or jeopardise a criminal investigation.

Disclosing Police information

Disclosure of information is taken on a case by case basis and is within the judgement of the data holder to determine what information is relevant to assisting the local authority in assessing the risks in order to protect a child. The police hold important information about children who may be suffering, or likely to suffer significant harm, as well as those who cause such harm, which the police will share with other organisations where this is necessary to protect children. This includes a responsibility to ensure that those officers representing the police at a child protection conference are fully informed about the case, as well as being trained and experienced in risk assessment and the decision-making process.

Similarly, the police can expect other organisations to share with them information and intelligence they hold to enable the police to carry out their duties. Any evidence gathered by the police or other agencies in criminal investigations may be of use to local authority solicitors who are preparing for civil proceedings to protect the victim.

Organisations are reminded to share with the police at the earliest opportunity all information relating to key family/ friends/proposed carers/significant others who has or is likely to have a caring role for the child(ren) to avoid delay in information gathering when preparing case conferences. This relates to BOTH initial and review conferences.

Process of disclosure by GMP

A Child Protection Conference Police Report will be provided for every Conference to the local authority only¹; where deemed necessary some information from this Report can be given to the parent(s) and/or third party involved as a significant other in the child's life² only at the Case Conference. For example, this information may contain information from Force Wide Incident Numbers (FWIN's) and Antecedent history.

The Child Protection Conference Police Report will contain a Confidential Section where by the very nature of the information held by the police deems it necessary for it to be confidential; the content of this Confidential Section must not be shared whether verbally or in writing with the parent(s) and/or third party involved as a significant other in the child's life. For example, this section may contain non conviction information or intelligence in respect of an ongoing investigation. Where it has been provided to them by Greater Manchester Police a partner organisation is permitted to share this report with their legal representatives but the report must not be further disclosed without: -

- (i) the written consents of the Case Conference Chair and the police; or
- (ii) Court Order which has first given the police 72 hours notice that the Court intends to disclose the report to the parent(s)/third party unless the police raise an objection and attend a hearing fixed by the Court to determine an outcome on disclosure.

At Case Conference

There is every intention for a GMP Case Conference Attendee to be present at Conferences. Where a GMP Case Conference Attendee will not be able to be present the Child Protection Conference Police Report will be provided in advance of the Conference. During the confidential slot, information contained in the Confidential Section of the Child Protection Conference Police Report will be discussed amongst the Conference attendees³.

If during the confidential slot it is determined that in order for the parent(s)/carer(s) to be able to understand the risks and safeguard their child(ren) a disclosure of relevant information contained in the Confidential Section of the Child Protection Conference Police Report is required, then the Conference attendees shall agree and minute within the body of the Main Conference Minutes the following: -

- (i) the relevant information to be disclosed and the wording to be used in making the disclosure to the parent(s)/carer(s);
- (ii) the reasons why it is considered necessary to make the disclosure; and
- (iii) how, when and who from the Conference shall disclose the agreed wording to the parent(s)/carer(s) and if determined more appropriate to disclose after the Conference

¹ Only the local authority will be sent and/or retain a copy of the Child Protection Conference Police Report. If a partner agency wants a copy of the report, they must apply directly to the police.

² In the event of a dispute as to who is a significant other in the child's life, the decision after consultation with those present in the confidential slot, shall rest with the Conference Chair.

³ In the event of GMP and/or a multi agency partner not being present, during the confidential slot a decision will be determined by the Conference Chair, after consultation with those present, and a telephone discussion with the police as to who and how the information will be shared with the parent(s)/carer(s).

concludes, the reason for this will be recorded in the body of the Main Conference Minutes and the disclosure will always be made in the presence of the social worker.

Dissemination of the Child Protection Conference Police Report, Confidential Slot Minutes and Case Conference Minutes

The entire contents of the Child Protection Conference Police Report should not be recorded within the Confidential Slot Minutes and/or Case Conference Minutes; instead a summary of relevant police information may be recorded. The summary should focus on the risk element of the information, for example; the nature of an incident/offence that occurred, the behaviour exhibited by the offender, the relationship of the offender to the victim, the environment in which an incident/offence occurred or the circumstances of an incident/offence. The summary should not contain specific details of incidents, crimes or offences such as exact dates, times, locations, addresses or any 3rd party personal data (i.e. that of the victims, witnesses, informants).

The Confidential Slot Minutes and/or Case Conference Minutes may be disseminated to all partner agency professionals present at a conference whom require a copy for a legitimate child safeguarding purpose so that they have a record of the discussions held and decisions made during a conference.

The Child Protection Conference Police Report shall be retained by the Conference Chair only and shall only be disseminated to other partner agencies upon written request. Requests for copies of the report should be made in writing to Greater Manchester Police stating the purpose for which police information is required. Such requests should be directed to the Safeguarding Vulnerable Persons Unit, Public Protection Division of GMP using the following email address:

publicprotection.division@gmp.pnn.police.uk

For urgent enquiries regarding obtaining police information the Safeguarding Vulnerable Persons Unit can be contacted using the following details:

SVPU Detective Sergeant - 0161 856 1989

Operational Support Assistants - 0161 856 5017 / 6411

Partner Agency responsibilities with police information

All partner Agencies will ensure staff are made aware of their obligations whilst any police information (whether written or verbally informed and however so arising into their possession) is in their possession, in particular they shall:

- not communicate to nor discuss with any other person the police information shared except where it is necessary to support the purpose of child safeguarding
- not retain, extract, copy or in any way use any police information for any purpose other than child safeguarding
- ensure the police information is stored securely to prevent unauthorised access or accidental loss. Most Local Authorities will store the information on the child's electronic file. If this is the case it will be necessary to watermark the report 'NOT FOR DISTRIBUTION'
- acknowledge their understanding that any personal data (i.e. data that identifies a living individual) is subject to the provisions of the Data Protection Act 1998 and that by knowingly or recklessly disclosing such data where there is no lawful reason to do so they may incur criminal and/or civil liabilities

- undertake to seek advice and guidance from Greater Manchester Police in the event that they have any doubts or concerns about their responsibilities or the authorised use of police information

Handling, storage, retention and disposal

Handling and storage

Where police information is carried/transported it must be kept under positive control of the holder at all times, positive control means on their person and in their sight.

Multi agency partners must ensure appropriate technical and organisational measures are in place to prevent unauthorised or unlawful processing of personal data and accidental loss or destruction of, or damage to, personal data.

Multi agency partners must comply with the data protection principles contained in the Data Protection Act 1998

Retention and Disposal

Police information shall be retained for no longer than is necessary in each case and shall only be retained by partner agencies where continued retention supports child safeguarding purposes. Once the police information is no longer required it shall either be returned to GMP or securely disposed of.

Amended by GM Heads of Safeguarding & GMP
February 2014