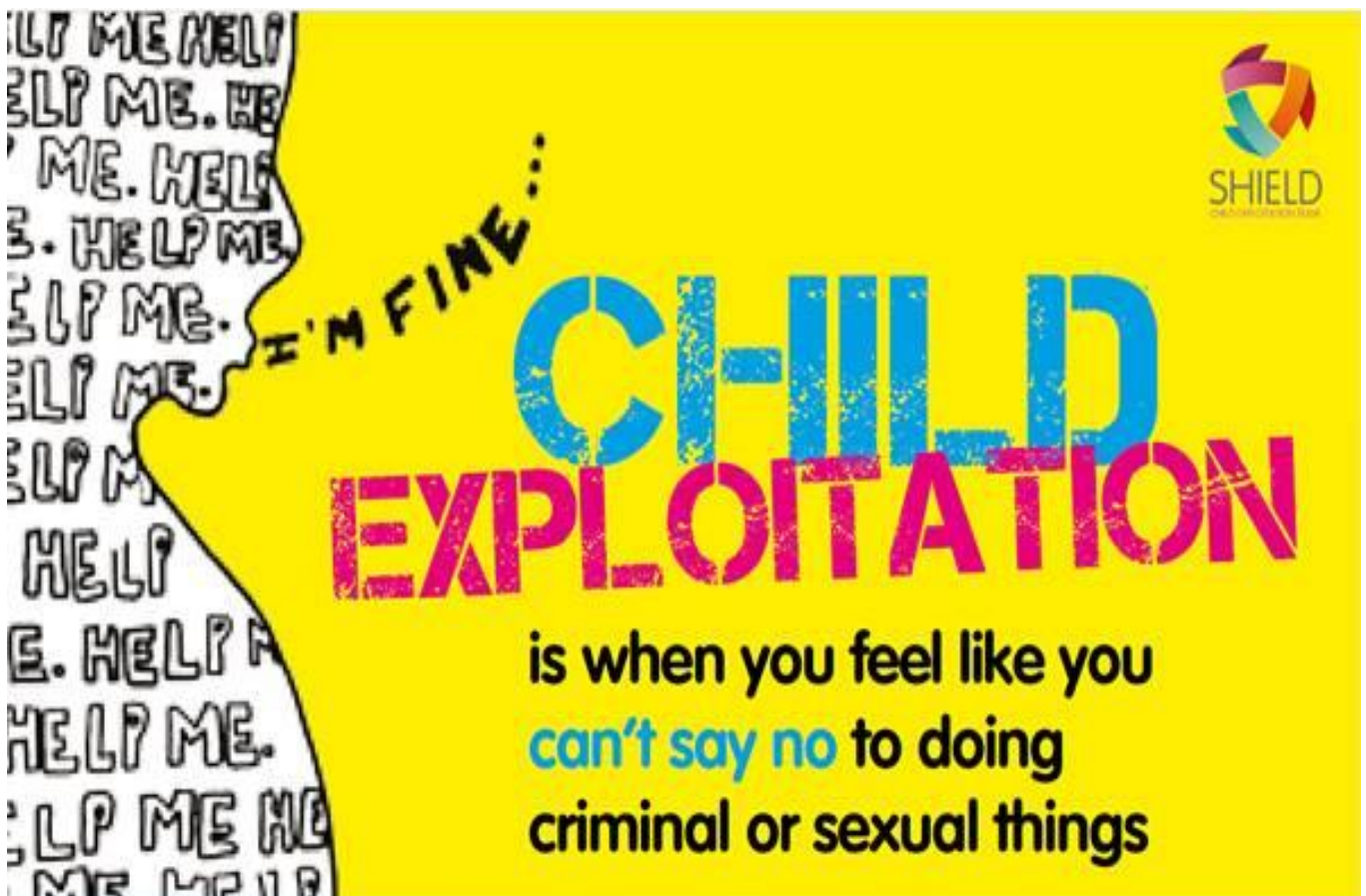


Knowsley Multi-Agency Child Exploitation Policy and Procedure

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1. Section 1: Background

1.1 Introduction

All agencies across Knowsley are fully committed to safeguarding children from being sexually or criminally exploited, whilst disrupting and/or prosecuting the individuals who are exploiting them.

This policy provides a set of multi-agency principles for tackling Child Exploitation in Knowsley and is to be read in conjunction with the Pan Merseyside Policies. An overarching term of Child Exploitation (CE) will be used throughout this policy to encompass both criminal and sexual exploitation of children.

The Policy details how through the Multi-Agency Child Exploitation meetings (MACE) we can reduce the harm posed to children from Child Exploitation.

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.

1.2 Scope

These procedures relate to:

- Children looked after by Knowsley Metropolitan Borough Council, placed in either foster care, local authority or privately run children's homes within or outside the borough of Knowsley.
- Children looked after by responsible councils outside of Knowsley, placed with care providers within Knowsley.
- Children who reside in Knowsley.
- Perpetrators/Adults of Concern in relation to Child Exploitation that reside in Knowsley and outside of Knowsley.

For the purposes of this policy, a child is defined as anyone who is under 18 years of age. Care leavers can comprise of children from 16-25 years of age.

Knowsley Borough Council retains responsibility for Knowsley children looked after who are placed outside the local authority boundaries. In these cases, Knowsley Children Social Care (CSC) will require the placement provider to comply with this protocol and those local to their area.

This policy must be read alongside, and other responsible authorities placing children within Knowsley boundaries will be required to comply with:

1. Pan Merseyside Missing Children Procedure September 2021
2. Pan Merseyside Multi-Agency Child Exploitation Protocol 2020

3. Pan Merseyside National Referral Mechanism Trafficking Exploitation Guidance June 2022

This guidance should be read alongside Knowsley Local Safeguarding procedures, and it is not intended to replace other actions that workers may take to safeguard children.

1.3 Definitions

The below nationally agreed definitions are 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.

1.4 Knowsley Meetings/ Forums/ Shield and CCSET Teams

Meetings that take place in Knowsley to response to the Children we are worried about who are deemed at risk of exploitation and those children who are assessed as maybe or being exploited. Terms of reference for all meetings are contained in the Risk Outside the Home Governance Meeting overview. Appendix A

The Vulnerable Children's Meeting (VCM)

A Multi Agency meeting to ensure a comprehensive partnership review of children who are identified as showing early signs of becoming involved in concerning behaviour that are NOT open to services. This meeting is designed to discuss those children (and siblings if relevant) that professionals are worried about, who may be involved in anti-social behaviour or showing signs that their behaviour is starting to escalate into something more serious there is a potential risk towards them outside of the home.

Chaired: Family First and STEP

Referral Pathway: To complete the VCM referral form and send to safercommunities@knowsley.gov.uk

KNOWSLEY ANTI SOCIAL BEHAVIOUR REVIEW, ACCOUNTABILITY AND ACTIONS GROUP (RAAG)

The Knowsley ASB RAAG is a partnership meeting that is responsible for the monitoring a number of young people in the Borough who have been identified as the most prolific participants of Anti-Social behaviour. The case management element of the meeting will be to monitor progression and interventions around the identified cohort to review progress and work collaboratively with partners to reduce incidents and incorporate prevention measures.

The Knowsley ASB RAAG has been developed to incorporate an approach that includes the following;

- Identification of young people actively involved in ASB.
- Support to the cohort and their families.
- Offer suitable interventions.
- Consider civil action.
- Undertake Criminal Justice Interventions where required.
- Reduce overall incidents of ASB.

Chaired: Crime and Communities and YOS

Referral Pathway: To complete the RAAG referral form and send to safercommunities@knowsley.gov.uk

The Multi-Agency Child Exploitation meeting (MACE)

The aim of the MACE is to provide a framework and governance to promote a clear consistent response to concerns in relation to children who may be or being exploited in Knowsley. This meeting will provide the framework to allow regular information sharing and action planning to tackle child exploitation across Merseyside.

Chaired: Police (CCSET) and Children Social Care

Referral Pathway: Children open to Early Help (EH) YOS, or Children Social Care (CSC) the lead practitioner to complete a Child Exploitation Assessment tool and send to Shield. If the child is not open to EH or CSC then complete a Multi-Agency Referral Form (MARF) or VPRF1 to the MASH.

Please see section 3 for further details in relation to the MACE.

Multi-Agency Response to Threat, Harm and Risk (MARTHUR)

The MARTHUR is designed to give partner agencies the opportunity to determine enforcement, preventative and diversionary activity in respect of those persons who have been prioritised as presenting a risk due to their behaviour (known or suspected through intelligence sources), either individually or as part of a wider whole family/ household approach. This forum will respond to adults that present an exploitation risk towards

children.

Chaired: Police (Local Policing)

Referral Pathway: To complete the MARTHR referral form and send to safercommunities@knowsley.gov.uk

Knowsley's SHIELD Team

Shield is a multi-agency team to protect children against harm outside the home. The Shield Team's vision is to keep children safe and free from exploitation by being a Centre of excellence.

The Shield team aims to work together with children, families, and the community to offer a range of services to reduce the harm outside the home by

- Providing a central point for all professionals to receive expertise with reference to child exploitation and missing.
- Providing a coordinated and proactive response to dealing with child exploitation: prevention, safeguarding and prosecution.
- Reducing and preventing children from being exploited and reduce the number of episodes of children going missing.
- Promoting the development of positive relationships with children and their families affected by exploitation.
- Improving evidence gathering and information sharing to inform problem profiling and prosecutions.

The Shield Team

Telephone: 0151 443 5028

Egress email: Shield@knowsley.gov.uk



For more information on the Shield Team members roles and responsibilities please refer to the Shield Operational Manual.

Child Criminal and Child Sexual Exploitation Team (CCSET) Team

The role of Merseyside Police Child Criminal and Sexual Exploitation team is to:

- Provide a dedicated, focused, centralised approach to Child Criminal and Child Sexual Exploitation investigations.
- Mitigate the risk posed by the current practice of individual hubs having sole responsibility for individuals/incidents despite cross-border/county links.
- Support the maintenance of a localised footprint which will continue to service daily business with partners, which will 'feed' back into the central team to identify trends & patterns which can be developed along with FIB intelligence which will now have a central location for progression of intelligence.

- Provide a Centre of expertise to raise the profile across the force and partnerships by providing an informed understanding of the complexities of CSE.
- Improve co-ordination and collaboration with existing functions that tackle exploitation via a county line model.
- Forge supportive links and working internal partnerships with Prevention, OCAIT, Unity, CSOU and IOM, for example, where investigations will overlap, and more detailed co-ordination is required.
- Deliver clear leadership, guidance, and support according to Working Together principles to create an effective multi-agency plan to combat CSE and CE and safeguard victims.
- Lead an improved governance structure to identify good practice and areas for improvement in relation to CSE.
- Keep abreast of the national response to CSE by continued liaison with NPCC lead for CSE, and Hydrant Programme, including identification of training and national learning opportunities to support continuous development of staff and benchmark good practice nationally to improve the organisational response.
- Provide a positive and measurable response to HMICFRS inspections around CSE investigations.
- Provide focused strategic leadership which emphasises the priority that Merseyside Police is placing on the crime types which encompass the spectrum of CSE and CE.
- Provide specialised training and development to staff engaged in this work, highlighting the prominence that should be placed on these investigations, and the importance of CSE and CE investigators, which will in turn drive a culture of pride and expertise, leading to more positive service delivery, victim engagement and increased confidence within the community.
- Provide the force response to issues of criticality relating to organised and complex abuse – eg persons of prominence, large scale offending, and issues impacting on the confidence in the policing response of the communities of Merseyside.

1.5 Language

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>	<p>This implies choice or control by the child. More appropriate description:</p> <p>The child is being criminally exploited.</p> <p>Child may have been groomed.</p> <p>The child is at an increased vulnerability to being abused/exploited.</p> <p>Location/ situation could increase a perpetrators opportunity to abuse a child.</p> <p>The location is dangerous to children.</p> <p>Concerns regarding other’s influences on the child</p>
<i>“Promiscuous”</i>	<p>This puts the blame on the child and implies the child is in full control of what is happening. More appropriate description:</p> <p>The child is either being exploited or vulnerable to exploitation.</p>
<i>“Involved in CSE or CCE”</i>	<p>This implies choice or control by the child. More appropriate description:</p> <p>The child is being exploited.</p>
<i>“Child has been sharing images of self on line”</i>	Child has been groomed to share images of themselves online.
<i>“Sexually active since (age under 13)”</i>	<p>The child has/may have been sexually assaulted or raped.</p> <p>Concerns exist that the child may have been coerced, exploited or sexually abused</p>
<i>“Streetwise”</i>	This implies the child is able to keep themselves safe and is fully able to manage situations that present risk.
‘The child’s Boyfriend/Girlfriend’	Child is being exploited when there is evidence of exploitation. Professionals should not be minimizing the exploitation by using the terms boyfriend and girlfriend

	when it is an exploitative relationship. Being exploited in line with the Boyfriend/Girlfriend Model of exploitation.
'Child is being offered drugs in return for sex'	Child is being sexually exploited. Concerns that the child has been raped. Perpetrators are sexually abusing the child. The child is being sexually abused. The child's vulnerability regarding drug use is being used by others to abuse them. The perpetrators have a hold over the child since they are drug dependent.
"Child is choosing to spend time with older people"	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. The young person has been groomed, exploited, controlled.

*Further points around language in relation to difficulties engaging a child who is being exploited is in section 5.3

Section 2 Safeguarding

2.1 Process

The signs of exploitation are outlined within the PAN Merseyside CE Protocol 2020 alongside the guidance for children who are being referred into the Multi-Agency Safeguarding Hubs for exploitation concerns and children who are already open to agencies and displaying signs of exploitation.

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

If a child is presenting with signs of being exploited then a Multi-Agency Referral Form (MARF) must be completed on line <https://marf.knowsley.gov.uk/Home> and to be sent into Knowsley Multi-Agency Safeguarding Hub which is then screened in MASH or Early Help Triage. As part of that screening, consultation takes place with Shield Duty worker to establish if there are concerns around exploitation. Shield then will provide advice and guidance to decide whether the child needs to be referred into the MACE process or prevention processes. If a child is not open to Children Services and there is a level of presenting need and does require MACE oversight, then MASH or Early Help Triage will make a threshold decision to progress to the appropriate level of Children Services:

- Signposting
- Early Help
- S17 Initial assessment
- S47 Child Protection

If the decision is made that a Strategy Meeting is required, then further considerations are required in addition to the standard strategy meeting format (See Appendix B). If the child is open to Knowsley children services, then the relevant team manager will chair the strategy meeting. If this child is not open to Knowsley children services, then either the MASH Team Manager or Shield Team Manager may chair the strategy meeting.

If the child has been placed in Knowsley by any other responsible authority the MASH/Shield will contact the responsible authority to ascertain what action is being taken and if a strategy meeting is required, then MASH/Shield will assist with any arrangements required to enable the responsible authority to chair the strategy meeting. If the responsible authority refuses to chair the strategy meeting, then MASH/Shield manager will arrange and chair the strategy and the responsible authority will be expected to attend at the date and time convened. In exceptional circumstances it may be agreed between Knowsley and the responsible authority that a strategy meeting is not required (ie legal planning meeting or secure applications are in progress). In these circumstances discussion needs to take place between MASH/Shield and the responsible social worker to clarify who is going to inform the care home of any relevant information in relation to risk concerns.

If a child is open to Knowsley Children Services and the lead professional is of the view, there are exploitation concerns then the lead practitioner will inform Shield of any exploitation incidents and

complete the PAN Merseyside Child Exploitation Assessment and send to Shield/MACE. Shield will review these new exploitation concerns within the Shield Daily Briefing

2.3 Shield morning briefing, Shield Duty Worker, and Shield Business support role in relation to MASH/EH Triage and oversight of Child Exploitation and MACE.

Every working day, a Shield Daily Morning Briefing will take place. Police and CSC are expected to have representatives present at all briefings and their responsibility is to assess each situation from a police and safeguarding perspective. These briefings are to be chaired by either the Detective Sergeant or Shield Team manager however in their absence staff can cover the briefing however any concerns raised in the briefing then immediate discussion with Detective Sergeant and Shield Team Manager is required.

The briefing discussion revolves around:

- Allocation of cases and tasks
- Outstanding Actions
- New Incidents and Updates – Police night reports and EDT alerts
- Intelligence
- Referrals for CCE and CSE
- Any missing episodes of concern
- Any missing episodes that trigger additional meetings
- Completed Visits/Debriefs/Strategies/Disruption
- Actions
- AOB

The Shield daily briefing notes are completed by Shield business support and updates for actions are to be clearly recorded. Shield business support following briefing will start the next day briefing with the actions carried forward. The briefing minutes are stored on Shield Team site so that all agencies can record information and read the briefing to update themselves or see their actions if they have been unable to attend briefing.

The Shield Duty Worker role is to attend Shield daily morning briefing as most of the actions will come from briefing for the day. All CSE and CCE referrals or information that comes into MASH/EH Triage or put on briefing the Shield Duty Worker will take actions to develop information further or discuss the exploitation concerns with MASH and EH Triage or lead practitioners.

The Shield duty worker will discuss the CE concerns with CE police and the MASH social worker or Early Help Triage who has responsibility to screen the referral to decide on whether this requires a Child Exploitation Assessment tool and progression to MACE.

Things that are taken into consideration when making the decision to progress to MACE:

- Is it exploitation?
- Background and history
- Associations
- Level of protective and risk factors

- Warning signs of exploitation
- Does this require a full CE assessment under MACE or can a single agency at level 2 provide the required intervention (e.g online safety work in school)

If it is decided that the case does not need to proceed to MACE, then the rationale will be recorded on the MASH contact and Niche. The Shield Detective Sergeant and the Shield Team Manager will dip sample on a regular basis what cases have not progressed to MACE to check threshold is being applied.

If it does reach the threshold for MACE, then the following will take place:

- 1) Any immediate actions will be written on Shield morning briefing which will be saved on Shield Teams site and a decision will be made on whether a CSE or CCE flag will also be placed on Niche and liquid logic immediately. Consideration will be given to immediate allocation of Shield or Catch 22 worker depending upon the presenting risks at this stage.
- 2) The Shield business support will start the CE assessment on liquid logic and assign it to the lead practitioner's or allocated Shield Child Exploitation worker's work tray to complete and to update their plan within a multi-agency meeting of all professionals working with the family by a certain cut-off date. If the child is placed in Knowsley by another responsible authority, then a blank CE assessment document (see appendix C) will be sent to the responsible social worker to complete in a set timescale. Any assistance required in completing the CE assessment tool then contact can be made with the Shield Duty worker.
- 3) Shield police should be included in the completion of the CE assessment. For YOS, the YOS police officer should be included.
- 4) For Knowsley young people, once the CE assessment is completed then the lead practitioner or allocated Shield Child Exploitation worker must send to their line manager for approval.
- 5) Once approved the manager then must assign the CE assessment into the MACE tray on liquid logic. For children placed in Knowsley the responsible social worker should email the CE assessment back to Shield via secure email address and Shield Business support will start a MACE meeting form on liquid logic and attach the word document in liquid logic.
- 6) Shield business support will then send out either the agenda or the MACE teams link which contains that month's MACE CE assessments to all MACE representatives seven days prior to the MACE.

Shield Business Support is responsible for the administration of the MACE. This involves:

- Oversight of MACE and timescales
- Chasing up CE assessments and escalating when not received
- Administration of flags on liquid logic
- MACE performance assistance
- Monitoring children placed here that we have received notifications and CE assessments.

CE Police Coordinator is responsible for:

- 1) MACE preparation:
 - a) read all the CE assessments.
 - b) make additional enquires on any significant information contained in the CE assessments.
 - c) ensure any relevant information is submitted as intelligence on police systems.
 - d) complete the police MACE preparation template.
- 2) MACE attendance, contribution and take actions from the MACE.
- 3) To update the MACE with any intelligence or hotspot information and support Partners meeting their information sharing obligations.
- 4) Manage CE flags on Niche.
- 5) Ensure transition of the CE assessments for all children moving in and out of Knowsley to other MACE processes
- 6) Ensure all CE assessments and MACE minutes are on police systems.

Shield oversight.

Shield Team Manager will have oversight of all children on the MACE database and ensure that the correct Shield or Catch 22 intervention is in place. Any professional can request a Shield consultation if they have concerns about exploitation by emailing Shield@knowsley.gov.uk. If Shield assesses that there is already appropriate support in place via the professionals who have built the relationship with the child or family, then a Shield consultation can be offered.

Shield also retains oversight of all adults who present an exploitation risk towards children via the Shield morning briefing, MACE, MARTHR, regular meetings between the Detective Sergeant and Shield Team Manager and attendance at LADO when required when there is an exploitation concern.

Section 3 MACE

3.1 MACE Terms of Reference

MACE Terms of Reference

Group	Knowsley Multi-Agency Child Exploitation (MACE)
Chair	Jointly chaired by CSC (Service manager level) and Detective Inspector from CCSET
Membership	
Organisations	Organisation
Children Service Teams	Council
Early Help and Family First Service	Council
YOS	YOS
STEP	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 - CCSET
Merseyside Police	Local Policing – DI or DS for Criminal Exploitation
Post 16 ETE	ETE post 16
CE team member	Shield team members
Co-opted Members	

Title	Organisation
Licencing	Council
Housing	Housing
Drugs Services	CGL
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 children who may be or bring exploited have been assessed and responded to appropriately via safeguarding and enforcement 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 forum to discuss all possible multi-agency methods to address adult of concern, • 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 forum to respond to those risk factors identified outside of the home or starting to associate with associates or locations of increasing concern, 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 ensure all locations of concern are brought to the attention of local policing and the local problem-solving group. • 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 and referred into the MARTHR for a range of disruption 	

opportunities to be considered.

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.

Knowsley MACE will also report into the Knowsley Contextual Safeguarding: Child Exploitation and Missing Partnership Performance Group

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.

Members are expected to read all the paperwork that is sent out prior to the MACE and attend the MACE to express individual agency's 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 and the Information Sharing Agreement in the PAN Merseyside Child Exploitation protocol.

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
- 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) Knowsley Child Exploitation and Missing Partnership Performance updates
- 5) What works and any barriers agencies are facing?

Frequency

CSE and CCE MACE will take place twice a month.

3.2 MACE

The MACE has a set agenda which includes new CE referrals, review of existing CE assessments. The MACE also will provide briefings of performance data quarterly and will discuss when relevant any intelligence or hotspots identified. If either MACE chair decides a more detailed discussion is required with key people on a particular individual, group, location or adult/s of concern then a separate MACE sub meeting will be organized by Shield.

MACE representative's responsibility is to ensure that the CE assessment and lead practitioners' plan is relevant and up to date and that review information has been captured and evidence risk levels. There is an expectation that MACE representatives will have read all CE assessments and provide contributions into the MACE on key concerns.

If MACE representatives do not raise any questions/objections at the MACE, then the following exploitation levels will be agreed:

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

If there is missing information, agreement or disagreement with the exploitation level and plan, then the MACE representative for your agency will feedback what was discussed. Shield will be the representative for children placed in Knowsley by other responsible authorities. Details of the MACE decision on exploitation levels and comments will be recorded on the MACE Minutes and the Shield Duty Worker will feedback to the home authority.

All children assessed as may be being exploited or being exploited will remain on a CE MACE database and a request to review the CE assessment will be sent every three months unless MACE overrides this timescale. If there is a significant change, then the CE assessment tool should be reviewed earlier than 3 months.

When the MACE agrees the risk level is not being exploited and the CE investigation has ceased then Shield will remove the CSE and CCE flags on Niche and liquid logic. A repeat CE referral is defined as when a child is no longer in the MACE process and an Initial CE assessment has been submitted which is then accepted into the MACE process for further oversight. The Shield Service Manager will complete a review of the case to establish whether there is any learning identified and will feedback findings to the MACE and Knowsley Contextual Safeguarding: Child Exploitation

and Missing Performance Group.

3.3 Child presenting as being exploited or the exploitation is complex such as international child exploitation.

If a child is assessed as being exploited for more than six months, then the Shield Service Manager will complete a review of the case with the relevant professionals to establish whether any additional resources are required, or the existing CE intervention requires adapting to reduce the risk.

If the exploitation is part of an organized crime group which are firearms enabled or a particular county line that does have cross boarder complexities, then the MACE chairs will arrange an extended MACE meeting and include all relevant agencies.

If a child in Knowsley is assessed as linked to a particular organized crime group linked with international travel and there is a risk of exploitation aboard which has significant safeguarding risks – health ie plugging drugs on flights or arrest in countries whereby the child would be at risk in custody or significant consequences ie Dubai, then a CCSET Child Exploitation Trigger Plan would be actioned.

The CCSET Child Exploitation Trigger plan for international exploitation would be saved on police and children social care systems and this document clearly outlines the expectations from police and children services when we are aware there is a risk of exploitation aboard. The Trigger plan outlines various actions required at the point the child presents at the airport to prevent travel, and what needs to take place if they do board the flight and are known to be aboard linked to exploitation risks.

3.4 Child or Adult presenting a risk of exploitation towards children.

During the Shield Morning Briefing or the MACE, consideration will be given on whether a MARTHR referral is required for:

- a CSE or CCE perpetrator/ adult of concern residing in Knowsley, or
- a child who is turning 18 years old and presents an exploitation risk towards other children or adults.

If the child is assessed as being exploited and presents a risk of exploitation towards children, then additional MACE focus will be given to ensure the child's own exploitation is responded to and the risk they present to others.

In accordance with the Pan Merseyside National Referral Mechanism Trafficking Exploitation Guidance June 2022, for Child Victims of Modern Slavery as Suspects, the National approach to youth justice continues to recognize and promote the safeguarding of children as the primary objective, to see the child first and the offender second. All work by professionals should be child- centered and child focused. Child Trafficking and exploitation is often accompanied by various types of control, such as violence, the threat of violence, sexual abuse, alcohol and drug abuse, emotional abuse, manipulation, and imprisonment, to suppress victims and ensure their

compliance. For that reason, victims may not fully cooperate for fear of reprisals or because they do not recognize they are being exploited.

This guidance further outlines that children may appear to have status in an organized drug dealing network and may enjoy the benefits associated with this, we ask practitioners to consider how and why this child became associated with the organized drug dealing network in the first instance. Context is key, this will go beyond the individual circumstances of the arrest or event.

The guidance outlines the impact of trauma and highlights the following factors should be considered:

- what age did the child first become associated with organized drug dealing network and under what circumstances?
- was the child targeted, groomed and or coerced by the organized drug dealing network?
- what associated vulnerabilities may have contributed to this happening?
- Is the child now so entrenched in this lifestyle that they do not present as a victim?
- Children can be both victims and suspects. Children, especially older children, can often present and be perceived as suspects when in fact they are victims of exploitation.

Please refer to the Pan Merseyside National Referral Mechanism Trafficking Exploitation Guidance June 2022 for further guidance.

Section 4 CE Assessment and lead practitioners' plans

The Pan Merseyside CE assessment tool has been designed to enable analysis on key factors to establish areas requiring intervention. The CE assessment tool will be subject to review and changes under the Strategic Pan Merseyside MACE.

The CE assessment tool must be completed in a multi-agency meeting with all key partners. Practitioners can use their existing multi-agency forums to complete and review the CE assessment such as CIN, Core Groups, Team Around the Family or Youth Offending Service meetings. The views of the child and their family must be sought to inform the assessment.

If there are concerns identified regarding compromised parenting and the parent/carers is believed to be part of the exploitation, the Knowsley safeguarding procedures must be followed.

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 CE assessment must be re-considered and updated accordingly. If there are significant harm concerns this meeting must be convened as a Strategy meeting.

Following completion of the CE assessment a multi-agency discussion is required on whether the lead practitioners' plan addresses the findings of the assessment: ways to strengthen the child's resilience and protective factors as a form pulling them away from the exploitation risk and address any risk concerns utilising contextual safeguarding approaches. (see section 6 for further guidance)

When completing a review of a CE assessment the old and new information in the evidence boxes needs to be made clear and dated. If direct work is being completed in relation to CE then the worker responsible is expected to provide to the lead practitioner a report of the work completed and an analysis of the progress and future plans so this can be reflected in the CE assessment and the lead practitioners' plan.

When a Shield worker is the allocated Child Exploitation worker then Shield workers will complete the CE assessment and ensure the child plan, details including the work on exploitation is reflected into the CE assessment which will be pulled through to MACE.

Section 5 – Transfers, step up and down, non-engagement and not completing CE assessment within timescales.

5.1 Children open to the MACE transferring to other authorities.

If a Knowsley child moves address to reside in another authority, then the CE Coordinator should contact the CE Coordinator in that area to ensure a transfer takes place from Knowsley MACE to the other authorities MACE process.

If the Knowsley child is a child looked after and remains the responsibility of Knowsley Children Services, the same process should take place with the CE Coordinator arranging a transfer however the child will also remain in Knowsley MACE process for oversight.

If a child is placed in Knowsley then a notification of placement should be sent to knowsleyMash@Knowsley.gov.uk alongside all relevant CSE or CCE assessment and information. Once Shield has received a notification and there are identified CE concerns, Shield will contact the responsible authority to arrange a discussion/meeting to discuss the concerns and provide the lead practitioner with the Pan Merseyside CE Assessment tool (see Appendix C). The responsible social worker can then send back to Shield@knowsley.gov.uk with a copy of the responsible authorities plan to address exploitation for Knowsley MACE oversight.

If a child who is placed in Knowsley by another responsible authority moves from Knowsley then it is the responsible social workers responsibility to notify agencies in that area. If the Knowsley CE Coordinator is informed of the new address, then the CE Coordinator will notify that area that the child has been in Knowsley MACE process.

5.2 Step up and down of Knowsley children

If the child is assessed as may be or being exploited on the CE assessment, then the child should remain open to lead practitioners as this is best practice. On those occasions that family do not consent to Early Help or Child in Need then Shield will continue to try and gain engagement and if further safeguarding concerns are apparent that require further assessment, Shield will submit a MARF into MASH.

If the child is being transferred via step up or down procedures, then the Shield Team must be notified who will be the lead practitioner via email. Shield@knowsley.gov.uk . If there are any difficulties with the step up or down procedures as a result of the exploitation risks, then please inform the Shield Team Manager so that further discussions can take place with CSC and Early

Help managers. The CE will then need to be reviewed at the MACE so that a decision can be made in relation to whether escalation is required.

It is the responsibility of all professionals involved with a child and/or their family, regardless of exploitation level, to ensure that the appropriate steps are adhered to. If there are irresolvable barriers to this, then the usual escalation policy applies.

5.3 Non engagement of Knowsley children

Often with CSE and CCE the risk of harm is from an extra- familial context and contextual safeguarding approaches are required. A key barrier for agencies can be the child or families' non-engagement which can be a further indicator that there is current exploitation taking place. If the child is assessed as may be or being exploited CE then all different forms of engagement should be utilised: different style of engagement, different workers, trying to engage with key individuals within the family, utilising the voluntary sector or other agencies to assist with engagement with the child.

Often the word "exploitation" is the barrier and so Shield is moving away from using this word and replacing it with harm outside the home. The language surrounding exploitation can feel oppressive for children and families:

- "exploited" can mean "victim" to children and often the children being exploited do not recognize the exploitation for a significant period.
- Modern Day Slavery (NRM) – has the word "slave" which children can see again as oppressive and does not fit with their understanding of their experience.
- "risk" can also be a barrier to children as their adolescent development stages does not recognize or understand risk.

Parents and children are often scared however cannot tell professionals what is happening as they often know the reputation of the exploiters and professionals need time to build trust and confidence. Often children and parents have been warned not to speak to professionals and in some cases have been threatened and so professionals need to consider how they are approaching families to gain engagement.

If all forms of engagement have been tried, then Shield Team Manager or MACE chair can complete a consultation to see if anything further can be done and the CE assessment needs to be updated to reflect those attempts at engagement so that the MACE can decide what further action is required.

5.4 CE assessment not being completed within timescales.

If a lead practitioner or allocated Shield Child Exploitation worker is unable to complete the CE in timescales requested, then please email Shield business support via Shield@knowsley.gov.uk and Shield can move the child to the following MACE meeting.

If the CE is still not completed the following month, then the Shield Team Manager will notify the lead practitioner's team manager. If another responsible authority has not completed the CE

assessment in the timescales requested, then the Shield Team Manager will escalate to Knowsley Quality Assurance Unit so that an escalation letter can be sent to the responsible authorities Quality Assurance Unit.

Section 6 – National Referral Mechanism

Please refer to the Pan Merseyside National Referral Mechanism Trafficking Exploitation Guidance June 2022 for the full guidance.

Child exploitation is a major, cross-cutting issue involving drugs, violence (including sexual violence), gangs, safeguarding, criminal and sexual exploitation, modern slavery, and missing children. Child victims of modern slavery should be referred into the Home Office National Referral Mechanism (NRM).

The identification and response to modern slavery in children - be it county lines, linked exploitation or slavery and servitude; requires coordinated multi agency activity and clear arrangements for how these agencies and organisations work together.

The Home Office updated the Modern Slavery Statutory Guidance in March 2022. This is an essential document for Investigators and safeguarding professionals working with victims of modern slavery.

The victims of county lines are often children, commonly males aged 15 to 17 years, who are groomed with money, gifts or through sexual and violent relationships, and forced to move, store and deal, drugs. Children as young as 11 years of age have been reported as being exploited. It is important to stress here that child victims can be both male and female.

Methods of control include:

- Debt bondage, including staged robberies.
- Sexual abuse, particularly against females, including for blackmail and humiliation purposes.
- Violence (real and threatened) is used to coerce victims to become dealers, enforce debts and use victim's accommodation as an operating base.
- Kidnap against victims and their families.

It is crucial that a multi-agency approach is taken when events take place that may relate to the slavery or trafficking of children or young people. Working Together (2018) is the overarching guidance for how agencies work together to safeguarding children. This guidance was updated in December 2020 to reference, specifically how safeguarding partners must recognise 'risk outside the home' as well as those risk which may come from within a family. (WT 2018. Page 25: Section 40 and 41). (See also University of Bedfordshire: Contextual Safeguarding.

<https://csnetwork.org.uk>)

The below points should be considered within the context of a strategy meeting linked to the NRM/modern slavery.

- The need for NRM.
- Identify specific professional to collate, submit NRM & timescale*
- Arrangements to speak with the child and family.

- Consent for NRM. (Children do not have to consent).
- Lines of communications with the child/family (Who is the Lead Professional/Role).
- Are there other linked children? - Wider risk.
- Previous events and Current NRM status. Is this an update or initial submission.
- Threat management considerations/Safety Planning. Especially if there is a financial loss/seizure of evidence and potential exposure of the exploiters through such evidence.

Please note Section 4 of the guidance (link below) on who the Home Office will accept referrals from as 'First Responders' <https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales>

The Home Office guidance from 2016 suggests it is good practice to consult the child when making the NRM referral, explaining the purpose, concerns, benefits, and the possible outcomes. This may present an opportunity to open a conversation and engage.

Merseyside Police and The Crown Prosecution Service have advised that a separate investigating officer is appointed to exploitation related crimes, this is to ensure roles are clear around managing the young person as a suspect and that of a potential victim. In Merseyside, primacy for Modern Slavery Crimes in this context will be with PVP CE Teams which is the CCSET Team.

Visits should be carefully planned by professionals in advance. This needs to be given case by case consideration to provide the best chance of engagement with professionals, be they Police, social workers, or other case workers. An immediate joint approach may not necessarily be the best option for potential victim of exploitation as it perhaps would with other models of abuse and child protection matters.

Questions asked and comments made may become relevant in any linked investigations and there may be a conflict for professionals and the child in terms of being able to talk openly for fear of self-incrimination or implicating others. The specific nature of each professional's role and what may be shared should be made clear to the child or young person at the outset.

Care should be taken in the recording and handling of information provided by the young person; or gathered as part of the social care enquiries and ongoing support. The growing use of third-party material in modern slavery investigations is positive in tackling perpetrators. However, in view of the obligations for disclosure of material in criminal and civil prosecutions, care should be taken when recording material in a child's record. Inappropriate language, opinion not backed by fact or sensitive disclosures made by the child, family or other parties may all become relevant material for the purposes of a prosecution.

Capturing the voice of the child during these early encounters is critical. This may be direct voice or ensuring the presenting factors are recorded – Fear, response to professionals, underlying vulnerabilities. The child's voice is asked for as part of the NRM form. Professionals visiting the child or family should be conscious of these factors, they may be of significance within a subsequent criminal justice process. The lived experience of the child is significant as are wider circumstances surrounding potential modern slavery. Professionals should be conscious of injuries, unreported assaults, threats, and damage to property which may indicate manipulation.

The submission of an NRM will result in the recording of a crime under the Modern Slavery act 2015. This may be a Section 1 (Slavery or Servitude), or Section 2 (Trafficking) offence. Other

offences may also be disclosed (For example assaults, sexual offences, threats). Crime recording and investigation will be kept under review by the appointed officer in charge of the investigation and their managers.

For further information on modern day slavery investigations and the role of Barnardo's: Independent Child Trafficking Guardians (ICTGs) which is a Home Office commissioned service is contained in the Pan Merseyside NRM Guidance.

When children are assessed as requiring a NRM then the following process should be followed:

- 1) NRM submission to be discussed in a multi-agency forum ie strategy meeting or lead practitioner multi-agency meeting. YOS, Children Social Care, Police or Shield to take the lead on completing the NRM referral using the multi-agency discussion.
- 2) The completed NRM must then be sent to the home office and Shield@knowsley.gov.uk and saved on the child's file.
- 3) The home office will assess the referral and decide on whether it meets the threshold for positive reasonable grounds. If threshold is met for positive reasonable grounds, then the home office will ask for further information. Any correspondence from the home office needs to be saved on the child's file and be sent to Shield@knowsley.gov.uk
- 4) Any requests from the home office for further information that come into Knowsley Multi-agency Safeguarding Hub will be sent to Shield@knowsley.gov.uk and the Shield Duty worker will process and/or respond.
- 5) Shield will ensure Merseyside CCSET team, through the CE Co-Ordinator, receives copies of all NRM and correspondence updates from Knowsley council. Upon submission of the NRM, Merseyside CCSET team will record a crime under the Modern Slavery Act 2015 and open a modern-day slavery investigation into the exploitation.
- 6) If any warrants/arrests are to be made, then Merseyside CCSET Team will discuss with the Shield Team Manager and decisions will be made on whether a professionals meeting is required to coordinate joint disruption and safeguarding. This may require a strategy meeting if the child is assessed as at risk when action is taken by the police in relation to the alleged perpetrator. The Shield Team Manager will coordinate this professionals/strategy meeting with key agencies only.

Section 7 – Key pieces of Guidance to assist with Assessment and Planning

6.1 Contextual Safeguarding Network has very useful tools and research on responding to contextual safeguarding concerns: school, peers and neighbourhood risks.
www.contextualsafeguarding.org.uk

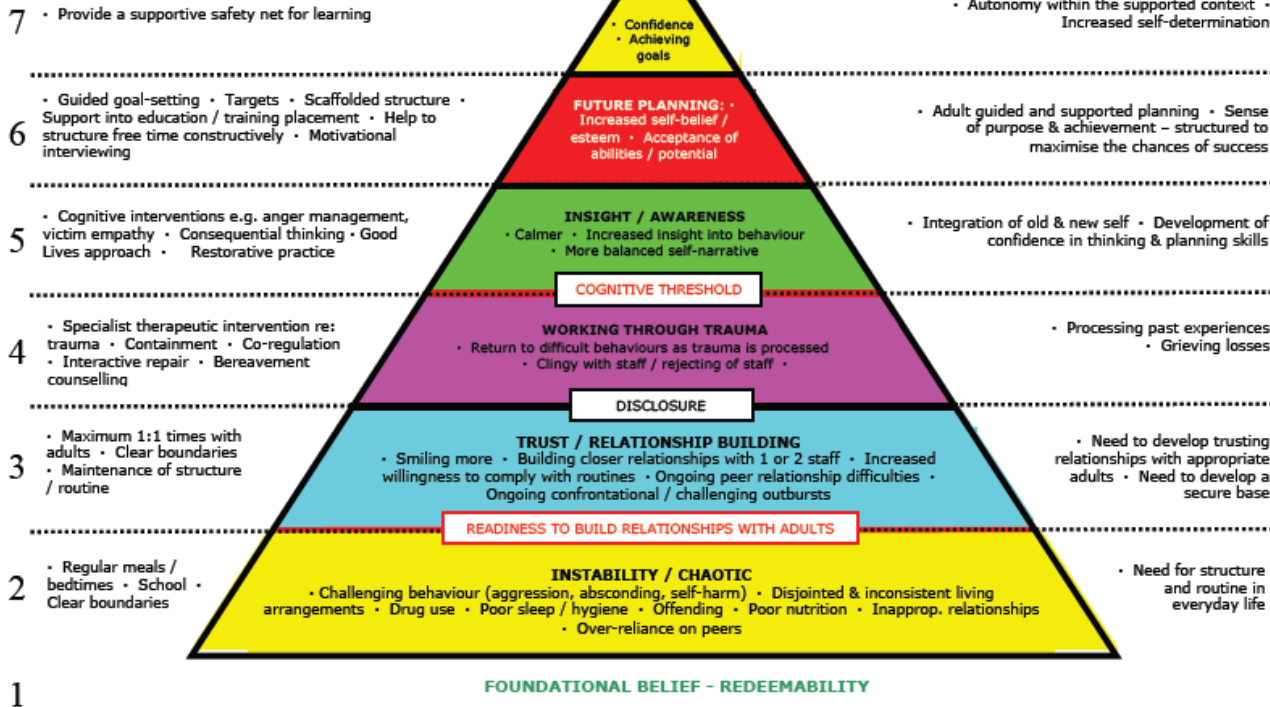
6.2 Trauma Recovery Model to assist with sequencing of CE interventions recognising what stage the child is currently at and how services can response to presenting needs.

TRAUMA RECOVERY MODEL

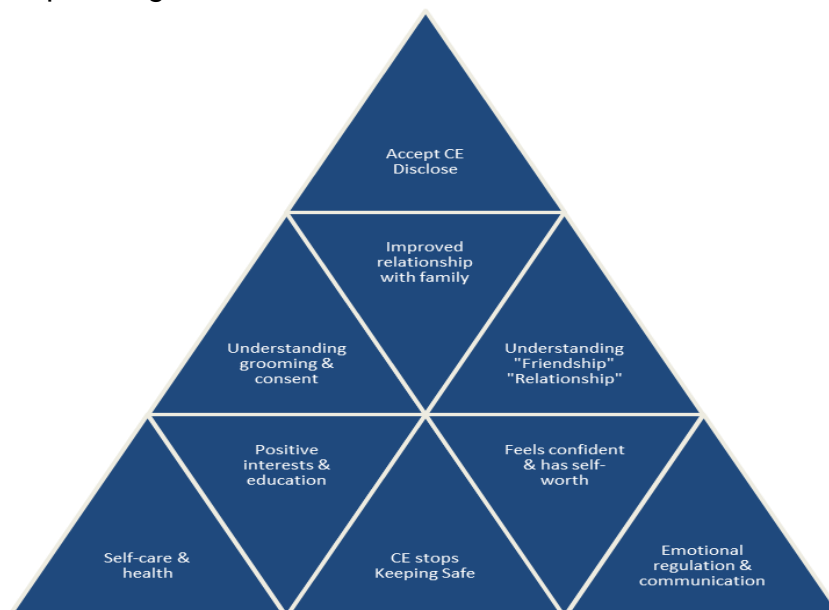
PRESENTATION / BEHAVIOUR

UNDERLYING NEED

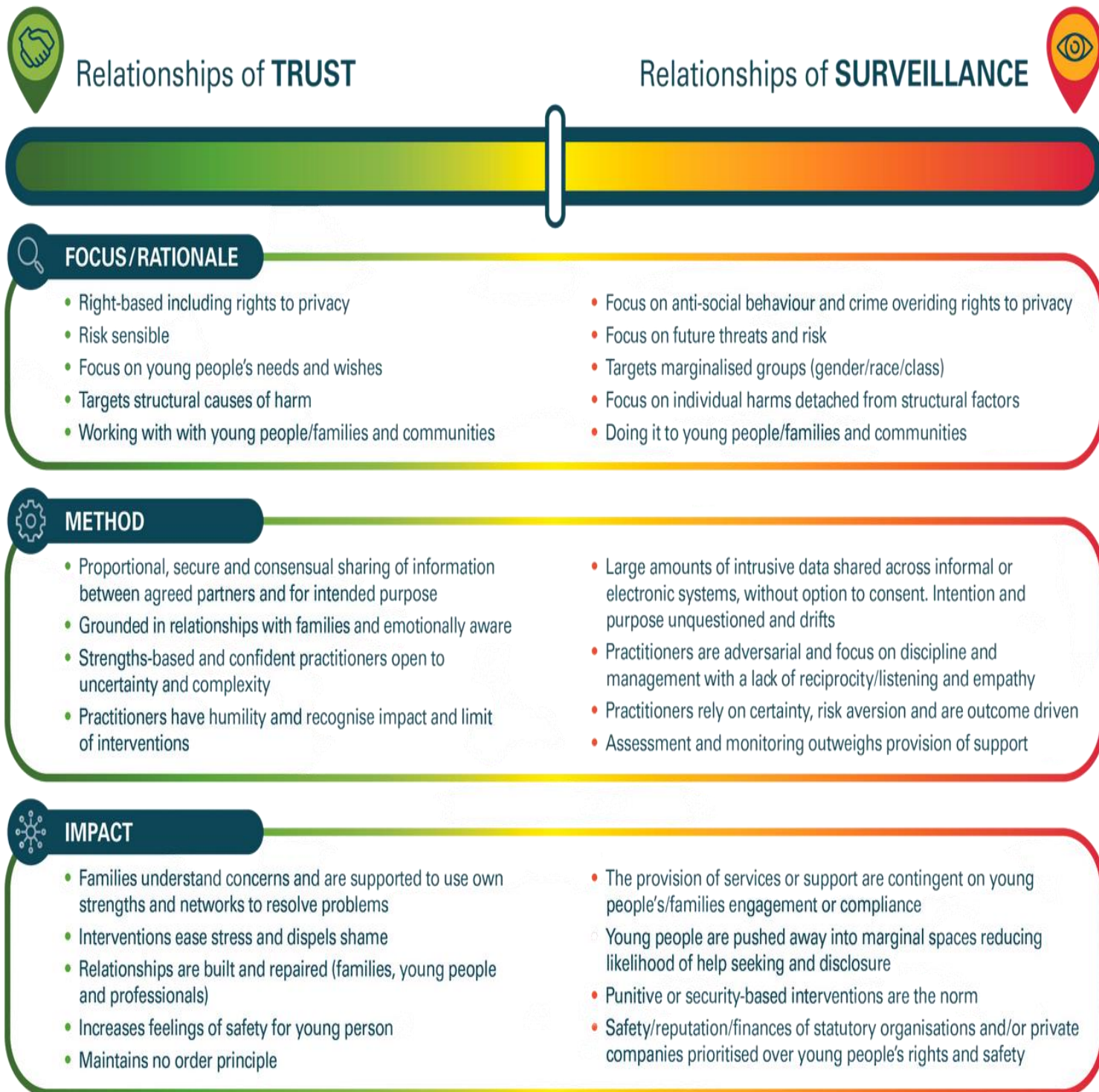
LAYERS OF INTERVENTION



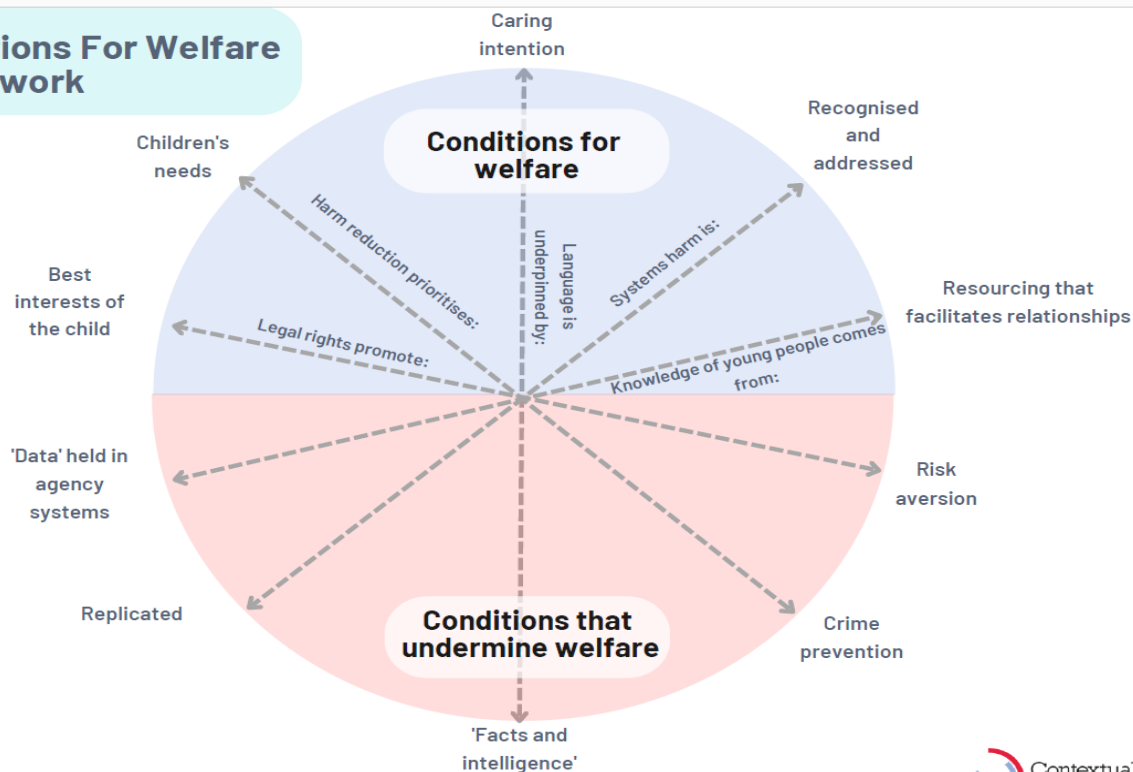
6.3 DfE CSE: Support in Children's Residential Homes. Dec 2016 Ivana La Valle & Berni Graham with Di Hart. The matrix of desired outcomes which contribute to recovery from and prevention of further CSE can be adapted to CSE whatever the current living arrangements are and can be adapted to CCE. Shield Team has adapted this matrix to CE and Shield prevention and can assist with sequencing of interventions.



6.4 Contextual Safeguarding Trusted Relationship Guidance



Conditions For Welfare Framework



Durham University

This framework is from the research article: Lloyd, J., Manister & Wroe, L. (2023) Social care responses to children who experience criminal exploitation and violence: the conditions for a welfare response, British Journal of Social Work



Contextual Safeguarding

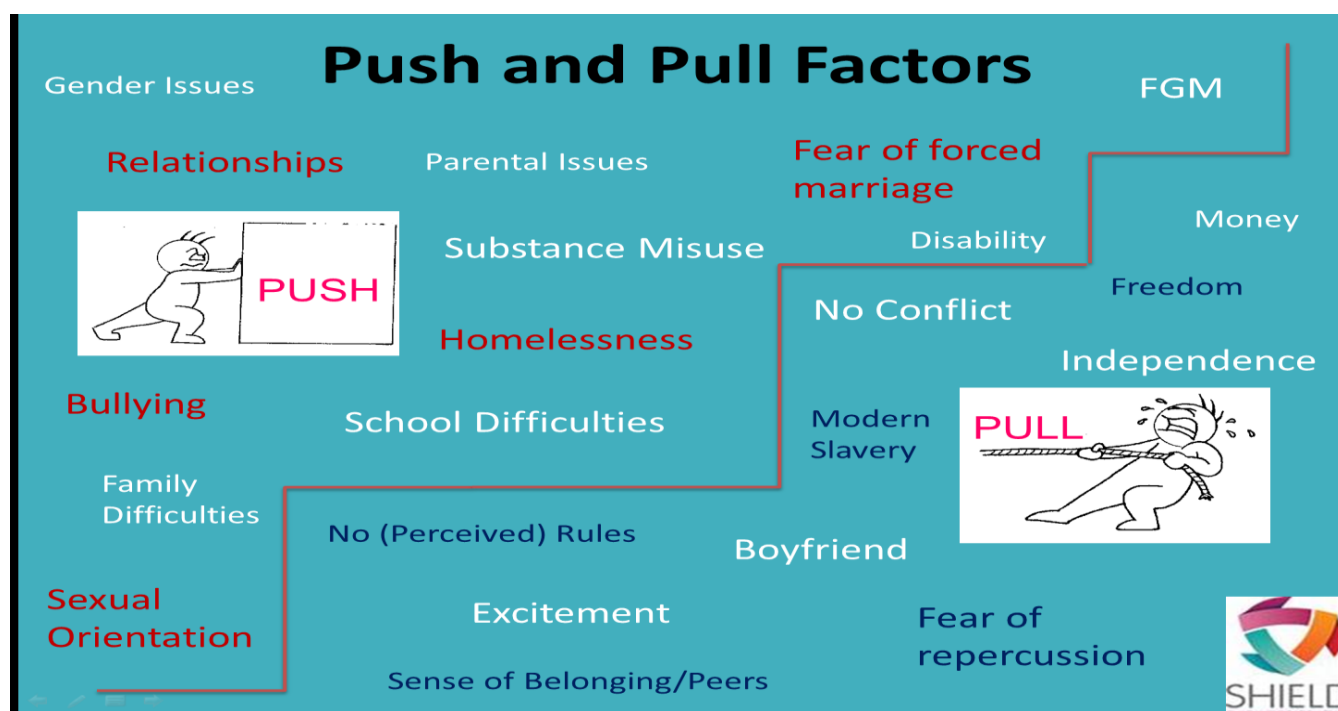
6.5 CE models and push and pull factors.

- Recognising the type of CE model and identifying the individual push and pull factors is integral to analysis of CE. Some CE models to consider are:
- Peer on Peer: children being exploited by peers who are known to them.
- Online: abuse of social media to exploit children
- Boyfriend/Girlfriend model: children are befriended directly by the perpetrator (in person or online) or through other children and young people. This process may begin with a girl (or boy) being targeted and befriended by a young boy or girl usually known to her as an equal, ie a classmate, a friend of a sibling, or a neighbour. This introductory child later introduces the child to either one or older men (or women), whom s/he may describe as an older sibling or cousin. The older men or women offer the child attention in the form of gifts, flashy cars, cigarettes, alcohol and drugs.
- The Party Model: Parties are organised by groups of men or women to lure young people. Children are offered drinks, drugs and car rides often for free. They are introduced to an exciting environment and a culture where sexual promiscuity and violence is normalised. Parties are held at various locations and children are persuaded (sometimes financially) to bring their peers along.
- Gangs and Groups: With CSE this can take the form of children being used by gang or group members for sex which can be referred to as "gift girls". With CCE this can take the form of

being part of an urban street gang or an organised crime group where children are used to commit offences or transport drugs or weapons.

- 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)

Push and Pull factors will differ depending upon the individual child’s circumstances. Some common push and pull factors are:



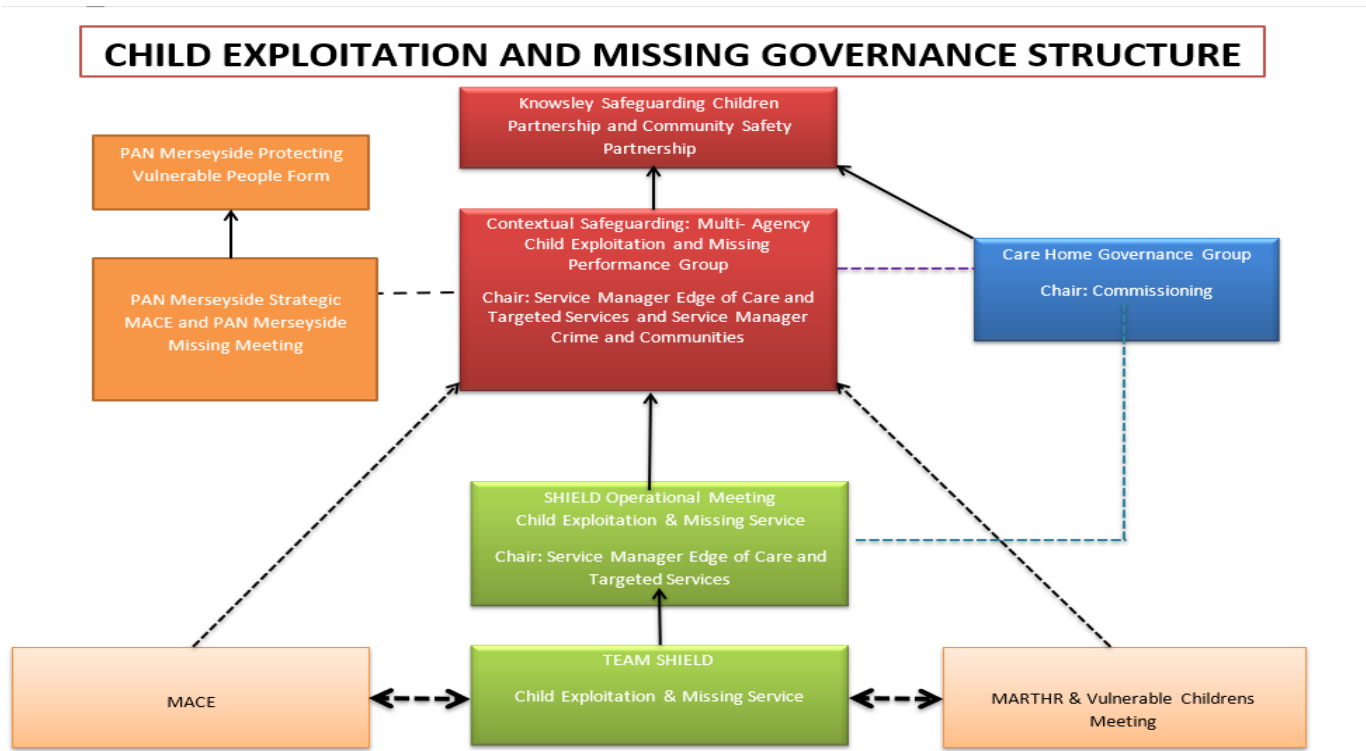
6.6 Shield Interventions and Consultations

Knowsley Shield team consists of the commissioned service Catch 22 and Knowsley council exploitation and social workers. The Shield Team Manager and MACE will determine what level of Shield resources may be required which may be a referral to Catch 22 or allocation of a Shield worker.

Shield also offers anyone in Knowsley council a Shield consultation which using the principles of the guidance and research listed above. The consultation will assist in analysing the information within the CE assessment and then offer guidance on sequencing of intervention plans. To book a consultation please email Shield@knowsley.gov.uk

Shield also offers training to agencies and schools and provide any advice or guidance in relation to exploitation or missing.

Section 7: Governance



SHIELD and MACE reports directly to the Contextual Safeguarding: Multi-Agency Child Exploitation and Missing Performance Group. MARTHR, VCM and RAAG also report to this forum. The purpose of this meeting is to ensure children are safeguarded and protected through the development of a multi-agency contextual safeguarding approach to reduce the risk of children in Knowsley being subject to exploitation and/or missing from home.

The Group will report to the Knowsley Safeguarding Children Partnership and the Children and Families Board including an account of progress, significant findings and issues, future workload, and any recommendations for action or approval. The Group will also report into the Community Safety Partnership, receiving and providing assurance and exception reporting as required. The Group will act as a conduit between the Strategic Pan Merseyside Multi agency Child Exploitation (MACE) group and the wider LA and Partners.

Section 8 Information Sharing Agreement

Knowsley CE policy is in accordance with the Pan Merseyside Information Sharing Agreement which has been signed and rectified by Merseyside Police and five boroughs of Merseyside contained in Appendix D in the Pan Merseyside Multi-Agency Child Exploitation Protocol 2020. A copy of this information sharing agreement has copied to Appendix G of Knowsley Policy. A flowchart of key questions for information sharing (see Appendix E)

All Police intelligence on trends, patterns or hotspots will be saved on Shield Sharepoint and Police systems. Any mapping exercises in relation to groups will be saved on Shield Sharepoint or shared Shield Teams file.

Section 9 Where an agency has intelligence.



Digital futures have been collaborating with Single online home to develop a bespoke portal exclusively for partners to report intelligence.

This service supports the Force strategy in protecting vulnerable people.

This enables our partners to use a consistent and efficient channel to report intelligence.

We will be able to access accurate analytical data from national dashboards via the knowledge hub.

All reports received will be triaged by our FCC staff who will take appropriate action, this could range from an intelligence submission, creation a storm log for deployment or tasking via Niche to local policing.

This service is for sharing of non-urgent information by partner agencies.

This service is accessible via [Home | Merseyside Police](#)

The **Partner Services** tab is located at the bottom of the page (it has purposely been placed here to prevent the public accessing it) If you click on the below link it will take you the Community Partnership portal to view:

www.merseyside.police.uk/partners/partner-services/

If you require any further information

Please contact:

Digital.Futures@merseyside.police.uk

Section 10: Complaints Procedure

If a complaint is made against a specific worker, then the agency complaints procedure should be followed. If a complaint is made regarding the Criminal Exploitation process, the Safeguarding Partnership complaints procedures should be applied.

Appendix A Risk Outside the Home Governance Meetings

Risk Outside the Home: Governance Meetings and Referral Pathways

Vulnerable Children's Meeting (VCM) –

A Multi Agency meeting to ensure a comprehensive partnership review of children who are identified as showing early signs of becoming involved in concerning behaviour that are NOT open to services. This meeting is designed to discuss those children (and siblings if relevant) that professionals are worried about, who may be involved in anti-social behaviour or showing signs that their behaviour is

starting to escalate into something more serious there is a potential risk towards them outside of the home.

Chaired: Family First and STEP

Referral Pathway: To complete the VCM referral form and send to safercommunities@knowsley.gov.uk

Terms of Reference



VCM%20Terms%20o
f%20Reference.doc

Review, Accountability and Actions Group (RAAG)

The Knowsley ASB RAAG is a partnership meeting that is responsible for the monitoring a number of young people in the Borough who have been identified as the most prolific participants of Anti-Social behaviour. The case management element of the meeting will be to monitor progression and interventions around the identified cohort to review progress and work collaboratively with partners to reduce incidents and incorporate prevention measures.

The Knowsley ASB RAAG has been developed to incorporate an approach that includes the following;

- Identification of young people actively involved in ASB
- Support to the cohort and their families
- Offer suitable interventions
- Consider civil action
- Undertake Criminal Justice Interventions where required
- Reduce overall incidents of ASB

Chaired: Crime and Communities and YOS

Referral Pathway: To complete the RAAG referral form and send to safercommunities@knowsley.gov.uk

Terms of Reference



The%20Knowsley%20ASB%20RAAG%20-%s

Multi-Agency Child Exploitation (MACE)-

The aim of the MACE is to provide a framework and governance to promote a clear consistent response to concerns in relation to children who may be or being exploited in Knowsley. This meeting will provide the framework to allow regular information sharing and action planning to tackle child exploitation across Merseyside.

Chaired: Police (CCSET) and Children Social Care

Referral Pathway: Children open to Early Help (EH) YOS, or Children Social Care (CSC) the lead practitioner to complete a Child Exploitation Assessment tool and send to Shield. If the child is not open to EH or CSC then complete a Multi-Agency Referral Form (MARF) or VPRF1 to the MASH.

Terms of Reference



MACE%20Terms%20of%20Reference.docx

Multi-Agency Threat Harm and Risk (MARTHR) –

The MARTHR is designed to give partner agencies the opportunity to determine enforcement, preventative and diversionary activity in respect of those persons who have been prioritised as presenting a risk due to their behaviour (known or suspected through intelligence sources), either individually or as part of a wider whole family/ household approach. This forum will respond to adults that present an exploitation risk towards children.

Chaired: Police (Local Policing)

Referral Pathway: To complete the MARTHR referral form and send to safercommunities@knowsley.gov.uk

Terms of Reference



Appendix B

Things to consider in a CE strategy meeting.

- Immediate presentation of the child when arrested – if not eating and being extremely aggressive in custody – consideration that the child may have secreted drugs internally.
- Who was arrested with the child – any adults and other children from other boroughs? Need to consider further mapping and understanding of their connections.
- Has the parent reported their child missing and if not why? Is there evidence that parents are fearful of reporting? Is there evidence parents might be involved?
- What is the parent's capacity to report missing or safeguard now?
- If not reported missing some exploration on how long, we think this child has been exploited across county lines?
- Does this require a National Referral Mechanism referral? Who is going to complete the NRM?
- Who is going to complete the CE assessment?
- Are there any other associates, names linked to this child that also may be being exploited?
- Are there any injuries?
- How has the child presented?

History to look at any of the key warning signs of exploitation:

- Absent from school
- Staying out late/overnight
- Regularly missing
- Unexplained gifts/new possessions
- Drugs and alcohol use
- Secretive behaviour
- Offending behaviour
- Inappropriate or sexualised behaviour
- Significant changes in mood or behaviour
- Becoming withdrawn or isolated
- Changes in appearance (clothes, hygiene etc.)
- Mental health changes / self-harm
- Excessive time spent on social media talking to “friends” they haven’t met.
- Pregnancy, terminations or repeat testing for sexually transmitted infections.
- Child has been coerced to take/share images.
- Being found traveling to an unfamiliar area
- Multiple mobile phones
- Family or child having to leave the home.
- Items missing from home.
- Child is carrying/concealing weapon.
- Association with others who have been exploited.
- Injuries
- Family breakdown
- Homeless
- Child has limited age-appropriate friendships.

Appendix C – Pan Merseyside Child Exploitation Assessment Tool

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	Criminal: <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

	Sexual: <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	<p>Neurodevelopmental pathway:</p> <p>NEET:</p> <p>ECHP:</p> <p>School / College _____</p> <p>Alternative provision _____</p> <hr/> <p>Hours offered a week: 0-5, 5-10, 10-25</p>

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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:	

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			

influencing younger siblings)		
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MACE decision 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)
MACE decision:	<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 _____.

Appendix D

PAN MERSEYSIDE INFORMATION SHARING AGREEMENT

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

INTRODUCTION

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 properly 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

gcsx.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-authorised 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

- 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

Flowchart of key questions for information sharing

