

# PAN Merseyside Multi-Agency Child Exploitation Protocol 2018

Date Published 20<sup>th</sup> April 2018  
Review Date 20<sup>th</sup> October 2018



Version 1 March 2018

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

**Contents**

<b>Sections</b>		<b>Page</b>
1.	<a href="#">Introduction</a>	3
2.	<a href="#">Protocol Aims and Purpose</a>	3
3.	<a href="#">Principles for consistently tackling Child Exploitation across Merseyside</a>	4
4.	<a href="#">Governance</a>	6
5.	<a href="#">Definitions</a>	6
6.	<a href="#">Multi Agency Child Exploitation meeting (MACE)</a>	7
7.	<a href="#">MACE Process and Terms of Reference</a>	8
8.	<a href="#">Role of Children's Social Care</a>	8
9.	<a href="#">Role of Merseyside Police</a>	9
10.	<a href="#">Role of Health Services</a>	10
11.	<a href="#">Role of Schools and Colleges</a>	10
12.	<a href="#">Role of Youth Offending Service (YOS)</a>	11
13.	<a href="#">Role of the Probation Service</a>	11
<b>Appendices</b>		
Appendix 1	<a href="#">Referral flowchart for concerns of Child Exploitation</a>	12
Appendix 2	<a href="#">Warning Signs and Vulnerabilities Checklist</a>	13
Appendix 3	<a href="#">CE1 Referral Form - concerns a child is being exploited</a>	14
Appendix 4	<a href="#">CE2 Multi-Agency Assessment Tool</a>	17
Appendix 5	<a href="#">Child Exploitation Multi Agency Plan (a Lead Practitioner Plan can be used)</a>	24
Appendix 6	<a href="#">MACE decision on risk level and rationale</a>	25
Appendix 7	<a href="#">Web links to Referral forms and safeguarding processes for each Local Authority in Merseyside</a>	26
Appendix 8	<a href="#">Flowchart - key questions for information sharing</a>	27
Appendix 9	<a href="#">Language agencies should use when describing a child's behaviour and/or presentation</a>	28
Appendix 10	<a href="#">National Referral Mechanism for potential (child) victims of trafficking</a>	30
Appendix 11	<a href="#">Information Sharing Agreement</a>	38
Appendix 12	<a href="#">Signatories to the Protocol</a>	49

## 1. Introduction

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

The Protocol details how through the Multi-Agency Child Exploitation meetings (hereafter known as **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.

### Why do children become involved?

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

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

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

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

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

## 2. Protocol Aims and Purpose

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

The aims and purpose of the Protocol procedures are to:

- Identify those who are at risk of being sexually and/or criminally exploited, by sharing information at an early stage and assessing risk using a consistent Child Exploitation Multi-Agency Assessment Tool (CE2).
- Apply pro-active problem solving to address the risks associated with victims, perpetrators and locations and to ensure the safeguarding and welfare of children who are or may be at risk from exploitation.
- Take proactive action against those who are intent on sexually or criminally abusing and exploiting children and young people.
- Ensure timely and effective interventions are offered to children and families so as to safeguard those vulnerable to exploitation.

- Ensure partnership agencies work collaboratively to safeguard children who are being, or are at risk of being exploited.
- Promote positive physical and emotional health and well-being of individuals identified as being at risk of child exploitation by ensuring appropriate therapeutic, sexual health and pre-trial therapy support is available to those children and young people who have experienced exploitation.
- To use data and intelligence to develop an understanding of child exploitation taking place across Merseyside, implement disruption tactics and ensure services are commissioned which can meet identified need.

### **3. Principles for consistently tackling Child Exploitation across Merseyside**

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

- When a child has been exploited, it is **never** the child's fault. Please see [Appendix 9](#) for the language agencies should use to ensure that they describe a child's behaviour and or presentation.
- All agencies across Merseyside should use the PAN Merseyside Child Exploitation Referral Form (CE1) ([Appendix 3](#)) to make a referral according to the local area referral pathway for safeguarding concerns (see details of local pathways at [Appendix 1](#) and [Appendix 7](#)).
- Referrals should always be made to the local geographical area where the child is currently residing.
- If the child is 'looked after' and placed out of their Local Authority geographical boundary, the child's allocated social worker from their home authority must always be informed that a Child Exploitation Referral form (CE1) has been made about them.
- Upon receipt of a Child Exploitation Referral Form (CE1), the local response will ensure a multi-agency information sharing / meeting takes place, in accordance with the level of risk initially identified. If there is evidence that the child is being exploited this must be a Strategy Meeting which involves social care, police and partner agencies working with the child/family. In all cases the Multi-Agency Assessment Tool (CE2) must be commenced at this point ([Appendix 4](#)).
- A Multi-Agency Assessment Tool (CE2) must be undertaken for all children:
  - Who are considered to be vulnerable to exploitation;
  - When there are clear indicators that would suggest that the child is being exploited but this needs further exploration;
  - Where is evidence that the child is being exploited;
  - Where is evidence that the child is being exploited and there are concerns that they are recruiting other children to be exploited.
- A Multi-Agency Assessment Tool (CE2) must be completed in a multi-agency forum, and not by a single agency alone.
- The child and their family's views must be sought to inform the completion of the Multi-Agency Assessment (CE2).
- If concerns are identified regarding compromised parenting and the parent/carer is believed involved in the exploitation of the child, the local area child protection procedure must be followed.

- If through completion of the Referral Form (CE1) or Multi-Agency Assessment Tool (CE2) any cross geographical border links are identified, contact must be made with the operational police lead and the Multi-Agency Safeguarding Hub (MASH) in the other Local Authority.
- If the child has been arrested for having possession of drugs/firearms in another geographical area, Merseyside Police should contact the investigating police force to discuss whether there is evidence of 'County lines' criminal exploitation of the young person.
- When a child is deemed to be exploiting other children, consideration will be given as to whether a Referral Form (CE1) and Multi-Agency Assessment Tool (CE2) need to be developed to protect this child from being exploited and prevent the child from continuing to exploit others.
- Merseyside Police will be the lead for the disruption actions undertaken, particularly when a child is criminally exploiting other children and/or involving them in 'County lines'.
- A CE2 Multi-Agency Child Exploitation plan must always include ways to strengthen the child's resilience and protective factors as a form of 'pulling them away' from the exploitation risk.
- A CE2 Multi-Agency Child Exploitation Plan for a child already known to agencies, MUST link with the existing plan for the child (i.e. Early Help Plan, Child In Need Plan, Child Protection Plan or 'Looked After' Child's Care Plan).
- When initially completing the Multi-Agency Assessment Tool (CE2) a review date must be agreed. As a minimum the review period should be at least every 12 weeks.
- 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 CE2 Multi-Agency Assessment Tool must be re-considered and updated accordingly. If there are significant harm concerns this meeting must be convened as a Strategy Meeting with police, social care and partner agencies involved with the child and their family in attendance.
- When a child is made subject of a CE2 Multi-Agency Child Exploitation Plan, notification should be made to partnership agencies via the process stated in each area's local Protocol, to ensure a 'flag' identifies that the child is at risk of being exploited on the child/young person's records. The decision to ADD a flag will be made in the Multi-Agency Child Exploitation (MACE) meeting and will always be a multi-agency decision.
- At each multi-agency review, the CE2 Multi-Agency Assessment Tool and Plan should be re-analysed to ascertain if any new intelligence/concerns have been identified, as well as considering new protective factors.
- The child will only cease being subject of a CE2 Multi-Agency Child Exploitation Plan when the risk has been deemed by the multi-agency partnership to have reduced sufficiently and would indicate that a multi-agency plan is no longer necessary. A Child Exploitation flag can only be removed when this is the case. The decision to REMOVE a flag will be made in the Multi-Agency Child Exploitation (MACE) meeting and will always be a multi-agency decision. The local area protocol for notifying partnership agencies of the Child Exploitation flag having ceased should be followed.
- **Repeat Child Exploitation Referrals** - A repeat CE Referral is defined as when a child is no longer in the MACE process and a new CE concern has been raised. If the child is already in the MACE process and a CE1 referral is made then the Multi-Agency Assessment Tool and Plan are required to be updated to reflect any new concerns.

- **Links with other safeguarding children concerns i.e. MARAC/Radicalisation/Trafficking etc.** If there are concerns regarding any of the above issues, a referral should be made via the relevant local pathways. The CE2 Multi-Agency Assessment Plan should ensure the referral is reflected.
- When human trafficking is suspected. To address safeguarding concerns, a CE1 Referral Form must be completed. First Responder Agencies e.g. Local Authority, Police, Barnardo's and NSPCC (CTAC) must submit a National Referral Mechanism form (NRM) for potential (child) victims of trafficking to the UK Human Trafficking Centre (UKHTC) see [Appendix 10](#). Merseyside Police process will be to record the offence on Niche using the occurrence type 'Child Exploitation' and the officer in charge of the investigation complete and submit a copy of the NRM ensuring a copy is forwarded to the relevant Local Authority Children's Social Care.
- **Intelligence:** Where an agency has soft intelligence this should be shared with **Crimestoppers**, an independent charity who helps to solve crimes. Crimestoppers have an anonymous 24/7 phone number **0800 555 111**, that agencies can call to pass on information about crime. Alternatively people can send Crimestoppers information anonymously via their [Giving Information Form](#). **Crimestoppers should only be used for intelligence submissions where details of a child are not known. Safeguarding concerns in relation to identifiable children need to be submitted via the process outlined above.**

#### 4. Governance

- Each Local Safeguarding Children Board provides scrutiny, oversight and quality assurance of the local Child Exploitation processes.
- A Strategic Governance of the wider multi-agency response to Child Exploitation across Merseyside will be undertaken by the Regional Strategic Multi-Agency Child Exploitation (Regional MACE) Group.

#### 5. Definitions:

The below nationally agreed definitions will be utilised 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 or young person 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 or young person 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 has 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.

## **6. The Multi-Agency Child Exploitation meeting (MACE)**

Child Exploitation takes places in local communities and information known to the full spectrum of statutory and voluntary sector agencies should be used to highlight the threat, establish and reduce risk. It is anticipated that an improved intelligence picture will enable effective action in a

greater number of cases of child exploitation, thereby reducing the harm that would otherwise be caused to the young victims and their families.

The MACE meetings, held in each of the local authority areas of Merseyside will be co-chaired by Merseyside Police (usually a Detective Chief Inspector) and Safeguarding lead for the Local Authority.

A MACE meeting will provide the framework to allow regular information sharing and action planning to tackle child exploitation across Merseyside.

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

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

In the case of each referral, the MACE will ensure that a Multi-Agency Risk Assessment (CE2) has been completed and a Plan will be developed, detailing the tactical response to be provided by relevant agencies.

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

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

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

## **7. MACE Process and Terms of Reference**

The Multi-Agency CE meeting (MACE) will not supplant, replace or override current safeguarding procedures.

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

At the MACE meeting, agency representatives will be asked to use their professional knowledge and expertise to risk assess the young person using the CE2 Multi Agency Assessment Tool and determine a CE2 Multi-Agency Assessment Plan to safeguard the victim and target the perpetrator. The Plan will also identify and direct the involvement of other agencies not yet involved who may assist in further reducing the risk of harm.

The actions allocated and information received at the meeting will be fully documented in the CE2 Multi-Agency Assessment Tool Plan and specific reference to the agency leading on each action recorded.

The second part of the meeting will consider cases already open to the MACE process and will request an update on outstanding actions

## **8. Role of Children's Social Care**

Children's Social Care are the lead agency with responsibility for responding to children who have been sexually exploited.

In the event that there are immediate concerns relating to the safety and well-being of a child or young person, contact must be made with the MASH as soon as possible. In all cases where child exploitation concerns are identified, a CE1 Referral Form should be completed and sent as per Appendix 3.

- When a referral is received regarding a child in the care of the local authority, the allocated social worker must inform their team manager. If this is a child of another local authority then the appropriate local authority must be informed immediately.
- If the child of another local authority, then the appropriate local authority must be immediately informed.
- If the child is in a residential unit, the staff should be asked to take positive action to clarify and record suspicions and work to prevent the child's involvement in criminal exploitation.
- If the child is in foster care, the social worker and supervising social worker should meet with the foster carer to decide which of the above steps the foster carer could reasonably take.

When a case is already allocated to a social worker, concerns may be presented by another professional or by the child's social worker. The risk of harm to the child needs to be re-assessed in the light of the new information, a discussion held with the relevant team manager and the case progressed as above.

This protocol is designed to enable the MACE meeting to convene to discuss nominees having initially consulted internally to establish the levels of existing intelligence held in respect of threats and risks posed to them. It is designed to ensure that if AT ANY STAGE concerns are such that the child or young person requires immediate support from any agency, then the appropriate referral is made to instigate child protection procedures, as per the local safeguarding policy in that authority area.

The needs of children and young people who are being or are likely to be sexually exploited will change over time. Service responses need to be flexible to respond to these changes. Early intervention is essential to prevent escalation of harm and interventions will then be tailored to respond to the needs of the individual.

## **9. Role of Merseyside Police**

To tackle child exploitation, Merseyside Police will undertake to:

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

Investigating child exploitation requires a proactive approach to intelligence gathering, so that patterns of abuse and the form it takes, can be identified both locally and on a larger scale. It is vital this information is shared with partner agencies to help identify and protect those at risk, and to identify potential perpetrators. Ensuring that links are made with children and young people who are going missing, or displaying any of the warning signs or vulnerabilities from the checklist (Appendix 2), can help to identify and manage risk at an early stage.

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

## **10. Role of Health Services**

Government guidance on children involved in sexual exploitation, notes:

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

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

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

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

Where the concerns are not immediate or are unclear, staff should discuss the case with their safeguarding lead. A decision should be made as to whether this would be an appropriate referral to the MASH using the CE1.

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

Health professionals who may be invited to attend child exploitation meetings include:

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

## **11. Role of Schools and Colleges**

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

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

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

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

## **12. Role of the Youth Offending Service (YOS)**

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

- All young people will be managed in ways that reduces their vulnerability/safeguarding need, and any risk of harm they may present through skilled assessment, the delivery of well-targeted and quality interventions and risk/vulnerability management planning. The sharing of information with other key agencies will be central to this.
- Recognition of factors, which pose a risk to children's safety and welfare, and the implementation of agency procedures to protect children from harm (MAPPA/MARAC/Child Safeguarding procedures).
- Provision of services to child victims of serious sexual offences.

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

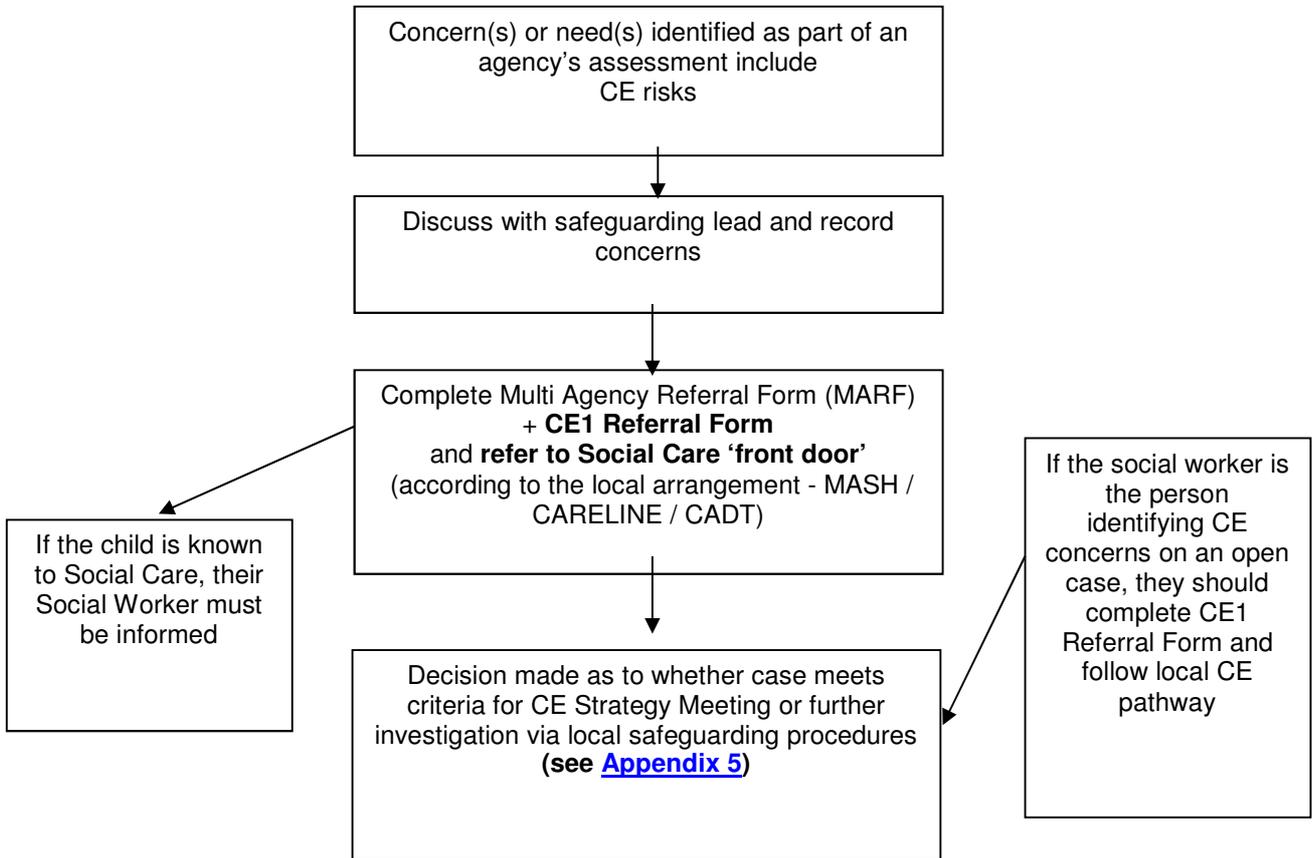
## **13. Role of Probation**

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

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

Appendix 1

**Referral process re: concerns a child is being sexually and / or criminally exploited**



**ALL CE1 Referral Forms should be sent to the MACE Forum in each local area, to ensure all Child Exploitation information is collated at a central point to inform data analysis**

**[PLEASE SEE EACH LOCAL AREA CHILD EXPLOITATION PATHWAY FOR FURTHER INFORMATION](#)**

## Appendix 2

### Warning Signs and Vulnerabilities Checklist

There are common vulnerability factors in children that can lead to them being more likely to be exposed to exploitation, and common signs and behaviours displayed by those who are already being exploited.

#### **The following are typical vulnerabilities in children prior to abuse:**

- Living in a chaotic or dysfunctional household (including parental substance use, domestic violence, parental mental health issues, parental criminality)
- History of abuse (including familial child sexual abuse, risk of forced marriage, risk of 'honour'-based violence, physical and emotional abuse and neglect)
- Recent bereavement or loss
- Gang association either through relatives, peers or intimate relationships (in cases of gang-associated CE only)
- Attending school with children who are exploited
- Learning disabilities
- Unsure about their sexual orientation or unable to disclose sexual orientation to their families
- Friends with children who are exploited
- Homeless
- Lacking friends from the same age group
- Living in a gang neighbourhood
- Living in residential care
- Living in a hostel, bed and breakfast accommodation, a foyer or homeless
- Low self-esteem or self-confidence
- Young carer

#### **The following signs and behaviour are generally seen in children who are already being exploited:**

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

Any child displaying several vulnerabilities from the above lists should be considered to be at risk of exploitation. However, children without pre-existing vulnerabilities can still be exploited so, any child showing risk indicators in the second list, but none of the vulnerabilities in the first list, should also be considered as a potential victim.

**Appendix 3**

**Merseyside Child Exploitation 1 (CE1) Referral Form**

**Type of Referral:**  
 Child Criminal Exploitation  Child Sexual Exploitation  Both

**Child Details:**  
 Forename(s)..... Surname .....  
 D.O.B..... Ethnicity.....  
 Gender..... Disability .....  
 Address..... Postcode.....

**This address is:**  
 Home / Other family member address / Foster care / Children's Home / Semi-Independent / Hostel / Secure unit / Other (please state) .....

Home Tel No. .... Mob / other contact No.....

GP Name.....

Surgery Address.....

School .....

Not in Education, Employment or Training (NEET): Yes/No

**Parent/Carer Details:**  
 Forename(s) ..... Surname .....

Relationship: ..... Contact No. ....

**Referring Person Details:**  
 Name ..... Date of referral.....

Agency Name ..... Job Title.....

Agency type:  
 Health / Children's Services / Education / Youth Services / Police / Probation / Voluntary services  
 Other – please state.....

Email address..... Telephone No.....

**Lead Agency Involvement:**

No Lead Agency	Early Help Plan	Child in need	Child Protection Plan	LAC / Leaving Care

**Lead practitioner name**.....

Is this child placed from a different Local Authority? YES /NO  
 If yes – state which and if known what date have they been placed since?

**Suspected Perpetrator Details:**

Forename(s).....	Surname .....
Gender .....	Ethnicity.....
Approximate Age .....	
Address if known.....	

**Which of the following are applicable to this young person?**

	Yes	No	Unknown
Regularly missing			
Parents / Carers not reporting young person missing			
Drug or alcohol misuse			
Has extra money/new items/'gifts' that cannot legitimately be accounted for/received from unknown sources			
Change in physical appearance or behaviour			
Pregnancy, termination or repeat testing for sexually transmitted infections			
Young person has been coerced to take/share indecent images			
Arrested/Involved in criminality			
Found / travelling out of Borough			
Multiple mobile phones			
Young person feels indebted to an individual or group			
Family or young person having to move or leave their home			
Items missing from home			
Young person carrying / concealing weapons			
Associates known to be involved in criminality or Organised Crime Groups (OCG's)			
Absent from school / Non-school attendance			
Services have not been able to engage with child			
Living in a chaotic / dysfunctional household			
Low self-esteem / self confidence			
Association with others who have been exploited			
Self-harm indicators and/or mental health concerns and/or suicidal thoughts/attempts			
Injuries – evidence of physical or sexual assault			
Relationship breakdown with family and or peers			
Homeless			
Young person has limited age appropriate friendships			
Association with older and/or risky peers			
Young Carer			
Change in education attendance/Change in education provider/Missing from education/Non-attendance in education			
Young person's sexuality increases their vulnerability as they feel unaccepted due to sexual orientation			

Are Parents / Carers aware of these concerns?  
Does the child have awareness of these concerns?  
Does the child consent to you sharing this information?  
Does the parent consent to you sharing this information?

**Evidence for above tick answers and reason for referral (please give as much information as possible):**

**Please send this form via Social Care Front Door / MASH to the MACE  
(Multi Agency Child Exploitation Forum)**

It is the responsibility of the referring agency to determine whether the referred child's parents are informed that their child will be discussed at the MACE meeting prior to the referral being made.

Best practise would be to inform/consult with parents; however, this may prove detrimental in certain cases. It may not always be in the child's best interests to inform parents and each case should be considered individually.

Appendix 4

PAN Merseyside Child Exploitation (CE2) – Multi Agency Assessment Tool

Young Person's Information					
Name		D.O.B		Age	
Address		Date of Assessment		Agency	
		National Referral Mechanism Referral		Lead Practitioner	

Nature of Criminal Exploitation							
County Lines (out of borough)		In borough drug dealing	Storing weapons / drugs for others	Performing sexual acts on others under coercion	Committing offences under coercion	At risk/ prevention of CCE	Other

Nature of Sexual Exploitation															
Online/Phone		Party		Boyfriend / Girlfriend		Adult/ Lone Offender		Group / Gang		On Street		Peer		Warning signs	

Identity									
Ethnicity		Nationality		Gender		Sexual Identity		Disability	

Current Living situation.											
At home		Living with other family member		Foster care		Children's Home		Semi / Independent Living		Homeless	

Lead Agency:															
No Lead		Early Help Plan				CIN		CP		LAC		Other LA		YOS	

Education Health Care Plan							
Diagnosed learning need		On pathway for assessment		Referral to pathway required		Details:	

Date of meeting:	
------------------	--

<p>Wishes, feelings, views of: The young person</p>   <p>The young person's family</p>
---

	Initial meeting	Review meeting	Final meeting
Police			
Social worker			
Early Help			
Youth Offending Service			
Education / College			
Residential Care Home / Foster Carer /Housing Provider			
Voluntary Services			
Health Services: GP/Mental Health/ Alcohol/Drug Services/Sexual Health			
Other Agencies			
Other Local Authority			

1. Episodes of missing from home/care/school		Multi-agency evidence
L	No missing episodes.	<i>Times missing? Where do they go? Why do they go? Is carer aware of missing episodes / whereabouts?</i>
L	Stays out late, no missing episodes.	
M	Occasionally goes missing, whether for short or prolonged episodes	
H	Frequent and short missing episodes	
H	Frequent and prolonged missing episodes	
2. School/College attendance		Multi-agency evidence
L	Engaged / re-engaged in education or training, or in work or actively seeking employment	<i>Any current or previous prosecution for school attendance? What services are involved with improving school attendance? What is</i>

M	Is participating in education or employment but attendance is a concern. Carer engaging with services to improve attendance.	<b><i>there attendance? Any change in attendance? Any change in attitude to attending education?</i></b>
H	Is on a reduced timetable, or is persistently absent from school, or sudden noticeable change in attendance, performance or behaviour at school. Carer's engagement with services to improve attendance but no evidence of improvement.	
H	Not attending school or is a NEET (not in education, employment or training). Is showing an interest in accessing opportunities. Career showing limited engagement with services.	
H	Not attending school or is a NEET. Shows no interest in accessing educational or training opportunities. No engagement from carer.	

<b>3. Accommodation &amp; Home Relationships</b>		<b>Multi-agency evidence</b>
L	Satisfied with accommodation & meets young person's needs Positive relationships and good communication Age appropriate boundaries & routines set by carer & adhered to	<b><i>Any financial difficulties? Any known / suspected domestic abuse? Any recent deaths in the family?</i></b>
L	Generally satisfied with accommodation and meets most of young person's needs. Some mutual understanding and positive relationships. Age appropriate boundaries & routines set by carer but not always adhered to	
M	Frequent placement changes Poor or negative communication with young person not responding to boundaries, routines or consequences. Historic abuse / neglect in family	
H	Unstable or unsuitable accommodation. Sudden negative change in quality of relationship, poor communication, strained relationship. Carer starting to show signs of not having capacity to input & maintain boundaries / consequences and challenge and behaviour	
H	Homeless / unknown whereabouts Current / suspected abuse / neglect in the family. Poor communication, limited warmth, attachment or trust. Carer does not implement age appropriate boundaries or recognise negative behaviour. Does not have the capacity to respond	
<b>4. Peer/Adult Association</b>		
L	Engaged in positive activities and has age appropriate and positive peers. Carer is aware of peer group	<b><i>What services is the young person known to? Who are peers / suspected peers? Age range of peers? Intelligence from Police?</i></b>
L	Young person started to disengage from positive activities. Some concerns. Surrounds self with age appropriate peer group and Carer is aware of peer group.	
M	Starting to associate with problematic peer group. Coming to the attention of services. Starting to engage with ASB. Not engaging in positive activities. History of bullying. Low self-esteem and difficulties socialising	
H	Is engaging in ASB and is known to services. Peers / Adults who are using substances or suspected to carry weapons. Attending parties that indicate possible exploitation. Peers / Adults who are known by criminal justice agencies or to have been sexually exploited. Spending more time with peers in the	

	community. Secrecy around peers and have their peers been found out of borough	
H	Associating with known criminal / gun crime nominals or other sexually exploited children. Any affiliation to Organised Crime Groups. Young person is or is suspected to be involved in a gang/group	

<b>5. Misuse of Drugs or Alcohol</b>		<b>Multi-agency evidence</b>
L	No concerns	<b><i>Where do they use substances? How do they fund it? Who with? Type / class of substance? Concerns around peer influences?</i></b>
L	Some concerns about drugs or alcohol but deemed to be age appropriate	
M	Started to associate with negative peer influence where substance use is suspected	
H	Substance use known & part of daily life Not known how substances are financed	
H	Young person is dependent on alcohol / drugs Obtains drugs from older peers / family members	
H	Found in possession of class A substances/cannabis more than once Suspected of the movement & selling of drugs	

<b>6. Ability to identify exploitive behaviour</b>		<b>Multi-agency evidence</b>
L	Has a good understanding of exploitative behaviour and can use it to keep themselves safe	<b><i>Evidence of understanding and young person's ability to keep themselves safe, for example the completion of interventions.</i></b>
M	Some understanding of exploitative behaviour Able to somewhat apply knowledge to keep themselves safe	
H	Can recognise risks but unable to apply to themselves to keep safe	
H	No recognition of exploitative behaviour The young person's carer cannot identify or recognise the risk of exploitation. Unable to keep themselves safe	

<b>7. Mental Health / Physical Health Concerns</b>		<b>Multi-agency evidence</b>
L	No known physical, self-harm or mental health needs identified	<b><i>Evidence of self-harm and mental health? Services being offered?</i></b>
L	Some physical and mental health concerns and attending appointments	
L	Increased need to access health appointments Targeted health services support accessed and parent engaging	
M	Increased need to access health appointments Sporadically accessing support services – carer not fully engaged	
H	Diagnosed illness or mental health condition Regular hospital admissions/treatments Decline in physical and mental health wellbeing	

8. Sexual Health Activities and Awareness		Assessor reflections
L	No concerns re: sexual health	
L	Is sexually active and in an equal consensual relationship with a peer.	
M	Some sexual health concerns and engaging with sexual health services	
M	Is sexually active but is not engaging with any sexual health services.	
H	Sex is non-consensual. Young person feels pressured to have sex or to perform sexual acts in exchange for status/protection, possessions, or substances or affection. Young person has many sexual partners /many tests for STIs or pregnancy. Child is under the age of 13 and cannot consent	

9. Social Media (Internet and mobile usage)		Assessor reflections – What APPs/Social media sites are accessed?
L	No concerns around internet usage	<i>What apps used?</i>
M	Some understanding of online safety but not able to apply knowledge to keep themselves safe	
H	Young person receives texts / calls from unknown or concerning people. Young person has become more secretive about internet usage. In possession of a mobile phone which parent / carer have no or only limited knowledge of.	
H	Young person targeted online for exploitation	
H	Young person has been exploited online. Young person plans to meet face to face person they know online. Multiple phone/regular changing phones	

10. Ability to Safeguard – Carers/Family		Multi-agency evidence
L	Carer recognises risks and will report young person as missing. Has a good knowledge of exploitation and aware of child's social media activity and undertakes an active protective factor role in their child's life	<b><i>What are the parent / carers views? Please ensure their voice is heard What strengths and assets do the parents / carers and wider family have? Or, is there evidence of disguised compliance?</i></b>
L	Carer will mostly report young person as missing, Carer is engaging or asking for support from services to support them to protect their child from exploitation.	
M	Carer needs to be prompted to report young person as missing and/or has limited understanding of exploitation/ child's social media activity.	
H	Carer fails to report young person as missing and struggles to understand the risk around missing and exploitation. Sporadic or limited engagement with services and breakdown in relationship with child.	

H	Carer doesn't have knowledge of exploitation or child's social media activity. Carer fails to report young person as missing and to recognise the risk of missing episodes. Disengagement from services. Carer/Family is affiliated to exploitation Need additional level here re: parent has been groomed by perpetrator exploiting the child	
---	---	--

<b>11. Substance Use, Physical &amp; Mental Health and Criminality in Carers/Family</b>		<b>Multi-agency evidence</b>
L	No concerns	<b><i>Where do they use substances? How do they fund it? Type / class of substance? What are the health concerns? Further details of criminality? How do these factors impact upon young person?</i></b>
L	Parent acknowledge concerns and are addressing the concerns	
M	Parents acknowledge concerns but refuse to seek treatment or support	
M	Parents do not acknowledge concerns and refuse to seek treatment or support	
H	Evidence suggests parental involvement in guns, gangs or drugs supply or historical/current exploitation of others	
H	Parent/Carer is involved in exploiting their child	

<b>12. Young Person's engagement with appropriate services</b>		<b>Multi-agency evidence</b>
L	Services have been able to engage the child and have regular contact	<b>Ensure you state what engagement there has there been with the young person to inform what has been stated within this assessment?</b>
M	Services have been able to sporadically engage the child, irregular contact	
H	Services cannot engage the child, no contact	

<b>13. Further evidence of exploitation other than what has been previously provided on CE1 referral/ professional judgement:</b>	
Young person having extra money or new items that cannot be legitimately be accounted for	Offences committed
Having multiple phones and sim cards	Evidence of inappropriate sexualised behaviour and language
People demanding money for drug debts	Affiliation with a group or gang
Family or young person has had to move or leave their home	Evidence that s/he is coerced to recruit other children
Items have gone missing from the home	Additional Police Intelligence
Young person may be carrying a weapon or hiding a weapon or connection with firearms	Injuries – Physical or Sexual
Sudden change in behaviour/appearance	Other things unusual for the child
Previous CE concerns	Associating / relationship with adults who encourage emotional dependence, loyalty and isolation from safe relationships
Multiple callers (unknown adults/older young people)	Reports of being taken to hotels, nightclubs or out of the area by unknown adults
Possession of hotel keys / cards or keys to unknown premises	Entering / leaving vehicles with unknown adults. Association with taxi firms/takeaway owners
Frequenting known locations that have concerns of CE	Knowledge of towns/cities they have no previous connection with
<b>Partnership Professional Judgement:</b>	

Professional decision on overall exploitation risk level	Tick relevant box
<b>Low</b> <i>At risk of being exploited. The risk of harm is possible.</i>	
<b>Medium</b> <i>Signs but no clear evidence that the child is currently being exploited. The risk of harm is likely.</i>	
<b>High</b> <i>Signs and clear evidence that the child is currently being exploited. The risk of harm is very likely</i>	

**Please tick which is the appropriate multi-agency assessment conclusion**

Concerns relate to behaviours associated with age appropriate child / young person behaviours

The child / young person is considered to be vulnerable to exploitation:

- Sexually
- Criminally
- Both

There are clear indicators that would suggest that the child / young person is being exploited but this needs further exploration:

- Sexually
- Criminally
- Both

Evidence that the child / young person is being exploited

- Sexually
- Criminally
- Both

Child / young person who is being exploited is also believed to be involved in recruiting / exploiting other children / young people

- Sexually
- Criminally
- Both

Appendix 5

**Child Exploitation Multi Agency Plan**  
*(A lead practitioner's plan can be completed instead of completing this plan)*

Name:

DOB:

Risk Level:

Date:

**What are the Risks identified from the Child Exploitation (2) Multi Agency Assessment?**

1.

2.

3.

4.

5.

*Add more if required*

<b>Actions to be taken on how to reduce the risk. <i>It is useful to think of what are the risks and then outline below what the response will be to reduce the risk. Focus on what the child's outcomes will be.</i></b>	<b><u>Person/ Service Responsible</u></b>	<b><u>Timescales</u></b>	<b><u>Completed Yes / No</u></b>
<b>Prepare (Profile)</b>			
<b>Prevent</b>			
<b>Protect</b>			
<b>Pursue (Prosecute)</b>			
<b>Other</b>			
<b>Due Date of Review (<i>minimum of 12 week timescale</i>)</b>	<b><u>Date Reviewed</u></b>		

**Appendix 6**

**MACE decision on risk level and rationale**

Indicator	Initial Risk Level	Review Risk Level	Final Risk Level		Initial Risk Level	Review Risk Level	Final Risk Level
1. Episodes of missing from home/care/school				9. Social Media (internet & phone)			
2. School/College attendance				10. Ability to Safeguard			
3. Accommodation Home Relationships				11. Substance Use, Physical & Mental Health and Criminality in Carers/Family			
4. Peer Association				12. Young Person's engagement with appropriate services			
5. Misuse of Drugs or Alcohol							
6. Ability to identify exploitive behaviour							
7. Mental Health / Physical Health Concerns							
8. Sexual Health Activities and Awareness							
<b>Overall Exploitation Risk Level</b> <i>(tick relevant box)</i>							
<b>High</b>		<b>Medium</b>		<b>Low</b>			

Increased	Decreased	Stayed the same
<i>Please state the rationale for this judgement</i>	<i>Please state the rationale for this judgement</i>	<i>Please state the rationale for this judgement</i>

**If undertaking a review, please keep the previous multi-agency evidence information and put a new date next to the new evidence provided.**

## Appendix 7

### Links to Local Safeguarding Processes

CE Concerns should be forwarded to Children's Social Care using the Multi Agency Referral Form used by the local authority area. In addition CE1 should be completed. (In some local authorities the CE1 has been into the MARF)

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

Liverpool

[http://www.liverpoolscb.org/reporting\\_concerns.html](http://www.liverpoolscb.org/reporting_concerns.html)

Sefton

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

Knowsley

[http://lmbcdev.co.uk/kscb/?page\\_id=87](http://lmbcdev.co.uk/kscb/?page_id=87)

St Helens

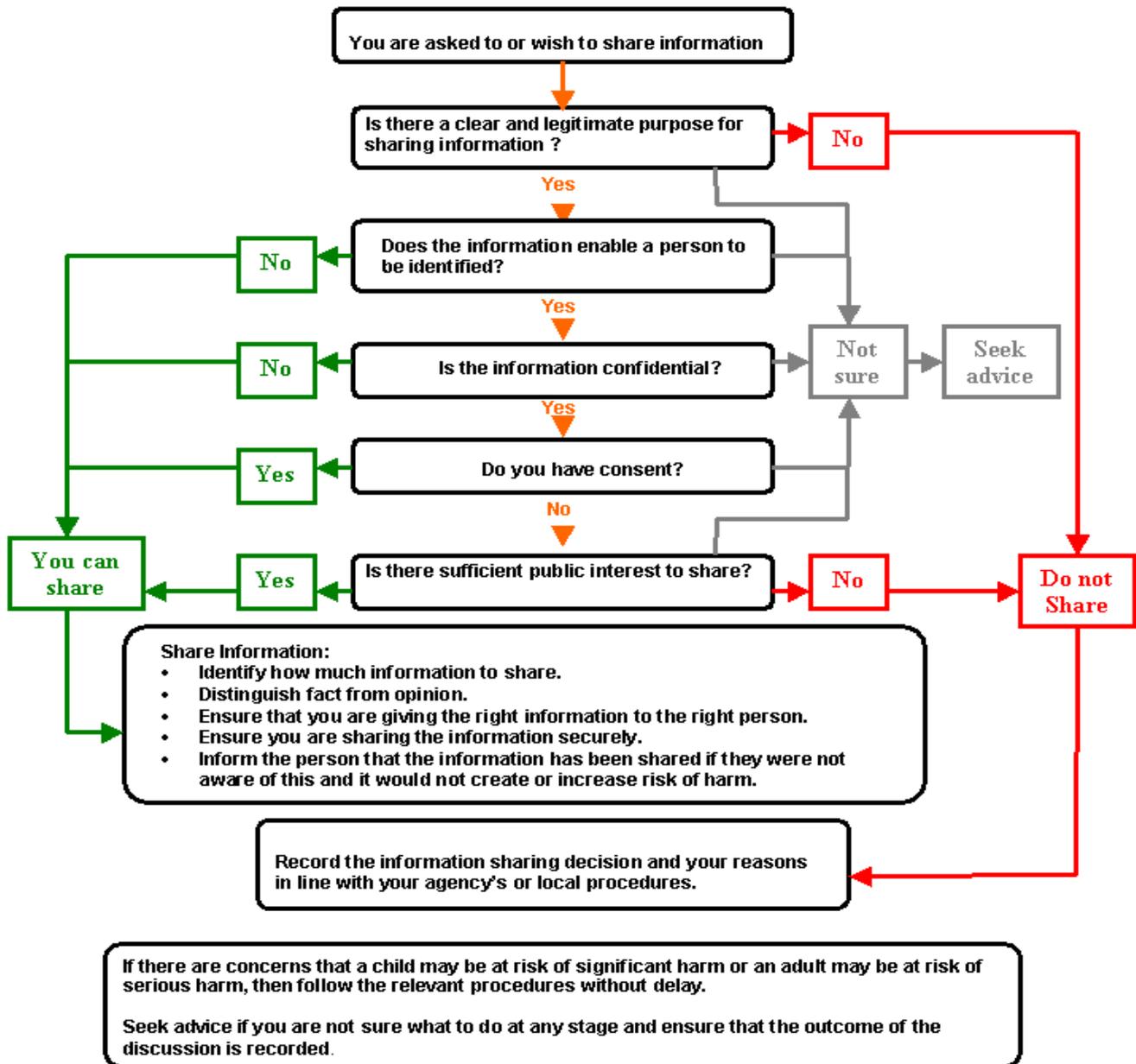
<http://sthelenslscb.org.uk/if-you-have-any-concerns/>

Wirral

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

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

Flowchart of key questions for information sharing



## Appendix 9

### Language agencies should use to describe a child's behaviour and/or behaviour

'Child is being offered drugs in return for sex'	<ul style="list-style-type: none"> <li>• Child is being sexually exploited.</li> <li>• Concerns that the child has been raped.</li> <li>• Perpetrators are sexually abusing the child.</li> <li>• The child is being sexually abused.</li> <li>• The child's vulnerability regarding drug use is being used by others to abuse them.</li> <li>• The perpetrators have a hold over the child due to the fact that they are drug dependant.</li> </ul>
'Involved in CSE'	<p>This implies that there is a level of choice regarding the child being abused. A better term would be that the child is vulnerable to being sexually exploited or they are being sexually exploited. A 5 year old would never be referred to as being involved in sexual abuse for the same reasons.</p>
'Promiscuous'	<p>This puts the blame on the child and implies the child knows what may be happening and is therefore not viewed by practitioners as exploitative and abusive. This phrase is often used to describe the behaviour of females.</p>
'Prostituting themselves'	<p>This completely misses that the child is being manipulated and controlled. Changes in legislation have meant that child prostitution is no longer an acceptable term and should never be used.</p>
'Boyfriend/Girlfriend'	<p>Children have been challenged in court with practitioner's recordings where their practitioner has referred to the perpetrator as the child's boyfriend/girlfriend.</p>
'Putting themselves at risk'	<ul style="list-style-type: none"> <li>• Child may have been groomed</li> <li>• The child is at an increased vulnerability to being abused/exploited</li> <li>• A perpetrator may exploit the child's increased vulnerability.</li> <li>• Situation could reduce the child's safety.</li> <li>• Location/situation could increase a perpetrators opportunity to abuse the child.</li> <li>• Child not in a protective environment.</li> <li>• The location is dangerous to children.</li> <li>• Not clear if the child may be being sexually abused.</li> <li>• It is unclear why the child is getting into cars.</li> <li>• Concern that there is a power imbalance forcing the child to act in this way.</li> <li>• Concerns regarding other's influences on the child.</li> </ul>

'Sexual activity with...'	<ul style="list-style-type: none"> <li>• They have been sexually abused.</li> <li>• They have been raped.</li> <li>• Allegation of sexual abuse.</li> <li>• Child has described sexual activity, however concerns exist that the child may have been groomed/coerced.</li> </ul>
'Sexually active since (age under 13)'	<ul style="list-style-type: none"> <li>• Raped.</li> <li>• Concerns exist that the child may have been coerced, exploited or sexually abused.</li> <li>• Child may have been sexually abused.</li> </ul>
'Drug running He/she is drug running'	<ul style="list-style-type: none"> <li>• Child criminal exploitation (CCE)</li> <li>• The child is being trafficked for purpose of criminal exploitation</li> </ul>
'Recruit/run/work'	<p>This implies there is a level of choice or control by the child regarding their exploitation and does not take into consideration the grooming,</p> <p>Coercion, threats or intimidation. A more appropriate description would be that the child is being criminally exploited.</p>
'He/she is choosing this lifestyle'	<p>Again, this implies there is a level of choice or control by the child regarding their exploitation and does not take into consideration the grooming, coercion, threats or intimidation. A more appropriate description would be that the child is being criminally exploited.</p>
'Spending time/associating with 'elders''	<ul style="list-style-type: none"> <li>• 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.</li> <li>• The young person has been groomed, exploited, controlled.</li> <li>• If the 'elder' is under the age of 18 years old- this will also need to be considered using child protection processes.</li> </ul>

## National Referral Mechanism form for potential child victims of modern slavery (England and Wales)

To note: this form is for all child cases identified across England and Wales. For Scotland or Northern Ireland cases please use the relevant form.

For referral of potential adult victims please refer to the specific adult guidance and form.

Modern slavery, including child trafficking, is child abuse. When an agency comes into contact with a child who may have been exploited or trafficked, Local Authority Children's Services and the police should be notified immediately. A referral into the NRM does not replace or supersede established child protection processes, which should continue in tandem.

All children, irrespective of their immigration status, are entitled to safeguarding and protection under the law. Referrals to the NRM should be for all potential victims of trafficking and modern slavery, who can be of any nationality, and may include British national children, such as those trafficked for child sexual exploitation or those trafficked as drug carriers internally in the UK.

Where there is reason to believe a victim could be a child, the individual must be given the benefit of the doubt and treated as a child until an assessment is carried out.

This form should be completed with reference to the linked guidance available on gov.uk.

### How to complete the form

Throughout the form, items marked with an asterisk(\*) should be supported by documentary evidence where possible. This form should be completed with reference to the linked guidance available on gov.uk

### Where to send the form

Completed forms should be sent to the NCA Modern Slavery and Human Trafficking Unit via email to [nrm@nca.x.gsi.gov.uk](mailto:nrm@nca.x.gsi.gov.uk) or by fax to 0870 496 5534.

### Duty to notify

From 1 November 2015, specified public authorities are required to notify the Home Office about any potential victims of modern slavery they encounter in England and Wales. Completing this NRM form is sufficient to satisfy this duty to notify as long as all of the sections marked with a † are completed. However, if the potential victim does not want to be referred to the NRM, then an MS1 form should be completed and sent to [dutytonotify@homeoffice.gsi.gov.uk](mailto:dutytonotify@homeoffice.gsi.gov.uk). The MS1 form can be anonymous. The MS1 form and associated guidance is available at [www.gov.uk/government/publications/duty-to-notify-the-home-office-of-potential-victims-of-modern-slavery](http://www.gov.uk/government/publications/duty-to-notify-the-home-office-of-potential-victims-of-modern-slavery). NRM forms **should not** be sent to the [dutytonotify@homeoffice.gsi.gov.uk](mailto:dutytonotify@homeoffice.gsi.gov.uk) address.

**Section A: child's details**

†Last name: ..... †First name(s): .....

†Also known as: ..... Sex: .....

†Date of birth: ..... known / claimed (*delete as appropriate*)

Age (*approximate if not known*): ..... known / claimed (*delete as appropriate*)

Place of birth: .....

†Nationality: .....

Immigration status (*where known*): .....

Language(s) spoken: .....

Any English spoken / interpreter needed (*delete as appropriate*)

Home Office reference (*where known*): .....

UK visa reference (*where known*): .....

Any other reference numbers: .....

UK home address: .....

UK Port of entry (*where known*)..... known / claimed (*delete as appropriate*)

Method of entry to UK (*where known*) .....

Carrier (*where known*): .....

**Section B: contact details of person making referral**

Name: .....

Job title: .....

†Organisation: .....

Unit or area: .....

Tel: ..... Fax: .....

Mobile: ..... Email: .....

Signature..... Date: ...../...../.....

**Section C: General details of the encounter**

**Date encountered (if relevant) or date of first agency contact:**

.....

**Address encountered or place of first contact with your agency (if different from above):**

.....  
.....

Date of referral to local authority: ...../...../.....

Local authority area .....

Local authority / social worker contact details: .....

.....

**†Responsible police force area for this location:**

.....

**†Have you reported the case to the police:**

- †yes
- †no
- NRM referral is being made by the police

**†If yes, was the case reported to the police in England, Wales, Scotland or Northern Ireland?**

.....

**†If reported to the police in England or Wales, which police force was the case reported to?**

.....

**Crime reference numbers relating to this incident of modern slavery (where available):**

.....

**If you have not referred the case to the police, what was the reason for this?**

.....

**Section D: General information about the suspected modern slavery**

**†Suspected victim of (tick any that apply):**

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

**†The country or territory where the modern slavery is believed to have occurred**

.....  
**†Suspected form of exploitation or forced service:**

- †domestic servitude (i.e. occurred wholly or partly within residential premises )
- †forced or compulsory labour
- †provision of sexual services or the commission of sexual offences by the victim
- †criminal services (i.e. involved the commission of an offence by the victim)
- †removal of organs
- unknown
- other (*please state*).....

## Section E: potential indicators of children who may have been victim of modern slavery (Y = Yes, S = Suspicion)

Child development			Parenting Capacity			Family/environment		
Exploitation	Y	S	Exploitation	Y	S	Exploitation	Y	S
Claims to have been exploited through sexual exploitation, criminality, labour exploitation or domestic servitude by another person			Required to earn a minimum amount of money every day			Located / recovered from a place of exploitation (for example brothel, cannabis farm, involved in criminality)		
Physical symptoms of exploitative abuse (For example sexual or physical)			Involved in criminality highlighting involvement of adults (for example recovered from cannabis farm / factory, street crime, petty theft, pick pocketing, begging)			Deprived of earnings by another person		
Underage marriage			Performs excessive housework chores and rarely leaves the residence			Claims to be in debt bondage or "owes" money to other persons (for example for travel costs, before having control over own earnings)		
Physical indications of working (For example overly tired in school, indications of manual labour – condition of hands/skin, backaches)			Reports from reliable sources suggest likelihood of sexual exploitation, including being seen in places known to be used for sexual exploitation			Receives unexplained / unidentified phone calls whilst in placement / temporary accommodation		
Sexually transmitted infection or unwanted pregnancy			Unusual hours / regular patterns of child leaving or returning to placement which indicates probable working			No passport or other means of identity		
Story very similar to those given by others, perhaps hinting they have been coached			Accompanied by an adult who may not be the legal guardian and insists on remaining with the child at all times			Unable or reluctant to give accommodation or other personal details		
Significantly older partner			Limited freedom of movement			False documentation or genuine documentation that has been altered or fraudulently obtained; or the child claims that their details (name, date of birth) on the documentation are incorrect		
Harbours excessive fears / anxieties (for instance about an individual, of deportation, disclosing information)			Movement into, within or out of the UK			Movement into, within or out of the UK		
Movement into, within or out of the UK			Gone missing from local authority care			Entered country illegally		
Returning after missing, looking well cared for despite no known base			Unable to confirm name or address of person meeting them on arrival			Journey or visa arranged by someone other than themselves or their family		
Claims to have been in the UK for years but hasn't learnt local language or culture			Accompanying adult previously made multiple visa applications for other children / acted as the guarantor for other children's visa applications			Registered at multiple addresses		
Other risk factors			Accompanying adult known to have acted as guarantor on visa applications for other visitors who have not returned to their countries of origin on visa expiry			Other risk factors		
Withdrawn and refuses to talk / appears afraid to talk to a person in authority			History with missing links or unexplained moves			Possible inappropriate use of the internet and forming online relationships, particularly with adults		
Shows signs of physical neglect – basic care, malnourishment, lack of attention to health needs			Pattern of street homelessness			Accounts of social activities with no plausible explanation of the source of necessary funding		
Shows signs of emotional neglect			Other risk factors			Entering or leaving vehicles driven by unknown adults		
Socially isolated – lack of positive, meaningful relationships in child's life			Unregistered private fostering arrangement			Adults loitering outside the child's usual place of residence		

Behavioural - poor concentration or memory, irritable / unsociable / aggressive behaviour			Cared for by adult/s who are not their parents and quality of relationship is not good			Leaving home / care setting in clothing unusual for the individual child (for example inappropriate for age, borrowing clothing from older people)		
Psychological – indications of trauma or numbing			Placement breakdown			Works in various locations		
Exhibits self assurance, maturity and self confidence not expected in a child of such age			Persistently missing, staying out overnight or returning late with no plausible explanation			One among a number of unrelated children found at one address		
Evidence of drug, alcohol or substance misuse			Truancy / disengagement with education			Having keys to premises other than those known about		
Low self image, low self esteem, self harming behaviour including cutting, overdosing, eating disorder, promiscuity			Appropriate adult is not an immediate family member (parent / sibling)			Going missing and being found in areas where they have no known links		
Sexually active			Appropriate adult cannot provide photographic identification for the child					
Not registered with or attended a GP practice								
Not enrolled in school								
Has money, expensive clothes, mobile phones or other possessions without plausible explanation								

**Section F: evidence to support reasons for referral (2 pages available)**

Please use this section to:

1. expand on the circumstances and details of the encounter or contact
2. provide supporting evidence for the indicators that you have identified in the matrix (please number the indicator you are referring to)
3. Provide details of any other indicators you feel are relevant but are not listed.
4. provide any other relevant information that you consider may be important and wish to include for example details of behaviour, abuse and neglect
5. provide details of any movements into, within or out of the UK, including dates (if known)
6. provide name of any adults, exploiters or traffickers (if known)
7. provide details of any linked victims (if known)
8. provide suspected place of exploitation (if known)
9. provide details of suspected form of exploitation (whether this had taken place or was yet to take place)
10. detail any action you have taken including referral to other agencies such as police, local authorities.
11. provide reasons why you think individual is a child  
details of any adults or other children the individual was encountered with, or whether the child was unaccompanied.

(if a separate sheet is required, please indicate that section D is continued and provide with referral)

**Section D: evidence to support reasons for referral (continued) if required**

## Appendix 11

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

### INFORMATION SHARING AGREEMENT

#### INTRODUCTION

- 1.1** The aim of this Agreement is to define the specific purposes for which Merseyside Police and Partners have agreed to share information; namely to increase the safety, health and wellbeing of victims of/or at risk of Child Exploitation (CE), for the prevention and detection of crime and maintenance of community safety.

It is envisaged that relevant information will be shared regarding referrals involving both adults and children where vulnerability is identified. Long established methods of sharing information between agencies has been key to identifying thresholds and suitable referral pathways.

- 1.2** This Agreement sets out the legal provisions relating to personal data sharing and takes account of the relevant Codes of Practice in respect of the sharing of personal data held by the Merseyside Police (MOPI Guidance, the ACPO Data Protection Manual of Guidance and ICO Data Sharing Code of Practice).

- 1.3** This Agreement contains details of the standards agreed by the Parties involved in the sharing of personal data and personally identifiable information so as to maintain confidentiality, integrity and compliance with the data protection principles, whilst ensuring that information is shared with those who 'need to know'.

- 1.4** Requests for information will be considered on a case by case basis in light of this Agreement and the relevant legal parameters identified concerning the sharing of personal data. The MASH enables co-located professionals to make this expedited judgment together and record the decision to share the information, along with the rationale.

- 1.5** Information shared under this Agreement must not be disclosed to any persons who are not Parties to it (including other business area within the same organisation) without prior consent of the information provider(s), or if there is any risk that the requirements of this Agreement might be breached.

#### PURPOSE OF THIS AGREEMENT

- 2.1** The purpose of this Agreement is to establish the procedures for the lawful, secure and effective exchange of information between the parties, in order to enable the parties to share relevant information in a comprehensive, transparent and consensual manner in the interests of safeguarding children and to work towards the maintenance of community safety and the prevention and detection of crime and disorder.

- 2.2** This section states that the purpose for parties to share information is:

- To increase the safety, health and wellbeing of victims of/or at risk of criminal exploitation;
- Better informed decision making and partnership working to identify and manage risk of serious harm;
- Keeping victims safe, promoting safer communities;

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

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

Wellbeing is defined as relating to a child's:

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

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

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

## **LEGAL CONSIDERATIONS FOR SHARING**

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

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

### **First Principle**

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

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

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

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

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

The Data Protection Act permits the sharing of personal information when it is:

In the vital interest of the data subject, or in the public interest.

### **Duty of Confidence**

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

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

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

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

The public interest criteria include:

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

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

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

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

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

### **Fair Processing**

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

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

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

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

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

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

### **Legitimate Expectation**

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

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

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

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

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

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

#### **In pursuit of a legitimate aim**

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

#### **Proportionate**

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

An activity appropriate and necessary in a democratic society.

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

#### **Schedule 2, Data Protection Act 1998**

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

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

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

#### **Schedule 3, Data Protection Act 1998**

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

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

Schedule 3 is satisfied in the case of this Agreement by Condition 7; the processing is necessary for the exercise of any functions conferred on any person by, or under, an enactment (i.e. Children's Act 2004). Where the consent of the individual is received, Condition 1 (data subject has given explicit consent to the processing of their data) will apply.

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

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

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

### **3.12 Caldicott Guardian**

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

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

Principle 1 – Justify the purpose for using confidential information.

Principle 2 – Only use it when absolutely necessary.

Principle 3 – Use the minimum that is required.

Principle 4 – Access should be on a strict 'need to know' basis.

Principle 5 – Everyone must understand his or her responsibilities.

Principle 6 – Understand and comply with the law.

**The MASH will operate within Caldicott guidelines.**

## **RESTRICTIONS ON USE OF INFORMATION**

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

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

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

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

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

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

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

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

## **WORKING PROCEDURES**

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

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

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

**5.2** All parties may, by agreement in writing, change their identified SPOC(s).

**5.3** Employees of the parties will be responsible for processing information in compliance with this Agreement.

**5.4** The named employees of partner agencies will ensure that any requests for information are made in writing using an agreed format.

**5.5** All parties will maintain an auditable a record of all information sharing.

**5.6** Signatories the Agreement must review and weed data as per Paragraph 8.3

**5.7** In certain circumstances, it may be necessary to seek information urgently and, in such cases, the information may be sought and disclosed verbally. Where this is the case, each party must keep a record of the request and the response by the completion (in retrospect) of the usual forms.

**5.8** The data disclosed must be treated as private and confidential and will not be divulged or communicated to any third parties (including other business areas within the same organisation) without prior consent of the information provider.

**5.9** Any issues arising in respect of the procedures referred to within this Agreement should be referred to the relevant signatories.

## **DATA**

**6.1** Examples of data that may be shared include:

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

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

**6.2** The parties agree to apply appropriate security measures in accordance with Principle 7 of the Data Protection Act 1998, which states that "appropriate technical and organisation measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction or damage to personal data".

**6.3** If any party to this Agreement becomes aware of a security breach or breach of confidence in relation to the data covered by this Agreement or breach of Terms of the Agreement, the party with responsibility for the area of activity in which the breach occurred shall:

- Report the breach immediately to Merseyside Police Information Governance Manager;
- Report it to the relevant parties immediately;
- Immediately investigate the cause, effect and extent of the breach;
- Report the results of the investigation to the other parties without delay;
- Use all reasonable efforts to rectify the cause of such breach.

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

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

**6.4** In order to protect the integrity and confidentiality of the information that is held, it is the responsibility of all agencies that are signatories to this Information Sharing Agreement to ensure that there are adequate security arrangements in place.

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

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

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

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

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

## **TERMINATION OF THE AGREEMENT**

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

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

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

## **INDEMNITY AND SIGNATURES**

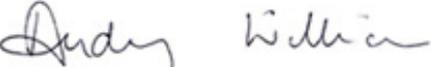
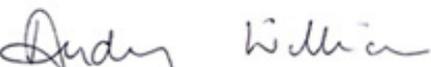
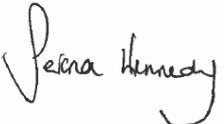
**12.1** Each agency will keep the other agencies indemnified against any and all costs, expenses, claims and liabilities arising out of any breach of this Agreement and, in particular, but without limitation, the unauthorised or unlawful access, loss, theft, use, destruction or disclosure by the offending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

## Appendix 12

### Signatories to the Protocol

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

This Protocol has been signed on behalf of the 5 LSCB Chairs and the Chief Constable of Merseyside Police.

Liverpool Safeguarding Children's Board  Title: LSCB Chair Signature	Date 19/04/2018
Wirral Safeguarding Children's Board  Title: Chair WSCB	Date 16/05/2018
St Helens Safeguarding Children's Board  Title: Chair StHLSCB	Date 16/05/2018
Knowsley Safeguarding Children's Board  Title: Chair KSCB	Date 19/04/2018
Sefton Safeguarding Children's Board  Title: Chair SLSCB	Date 04/05/2018
Merseyside Police Assistant Chief Constable  Title: Assistant Chief Constable	Date 11/05/2018

Signature	
-----------	--

This Protocol will be reviewed 6 months after initial implementation.