

INFORMATION SHARING AGREEMENT

INFORMATION SHARING AGREEMENT (ISA)

BETWEEN

G4S Justice Services Ltd

AND

LINCOLNSHIRE POLICE

Version 1.0

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED
SUMMARY SHEET

Information Sharing Agreement

ISA Ref:	LP004/IMU – G4S Justice Services Ltd
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PURPOSE	To create a system for the formal exchange of information between the Police and G4S Justice Services Ltd -with the intention to prevent, and/or reduce the risk of crime and/or anti-social behaviour being committed by offenders who have been made a subject of an electronic monitoring requirement and/or have breached the conditions of their electronic monitoring requirement.
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PARTNERS	Lincolnshire Police G4S Justice Services Ltd
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Date Agreement comes into force:	To be confirmed
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Date of Agreement Review:	Six months after coming into force, then annually.
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Agreement Owner:	Lincolnshire Police
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Agreement drawn up by:	Lucy Chapman – IS Officer
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Location of Signed Agreement in force:	Information Management Unit, HQ
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Protective Marking:	Not protectively marked
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VERSION RECORD

Version No.	Date	Amendments Made	Authorisation
001	29.09.2011	Initial Draft	Miss Lucy Chapman- IS Officer
1.0	03.11.2011	Authorised	Miss Lucy Chapman- IS Officer

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1. INTRODUCTION

- 1.1 Lincolnshire Police and G4S Care and Justice Services Ltd are both committed to partnership working, and continually look for opportunities to work more closely with identified partners to detect, prevent and reduce crime and anti social behaviour.
- 1.2 Within Lincolnshire G4S are responsible for supplying, fitting and monitoring offenders when an electronic monitoring requirement has been imposed upon an offender. In order for G4S to supply and fit the electronic monitoring device to an offender G4S may require a photograph from Lincolnshire Police's local system, which will aid with identification. Additionally, G4S are responsible for taking an offender back to Court if they breach the electronic monitoring requirements imposed on them. If a breach of electronic monitoring occurs, G4S are required to provide the court with the offender's conviction/caution history to enable an appropriate course of action to be taken. This will be provided by Lincolnshire Police in the form of a PNC conviction print.

2. PURPOSE

- 2.1 The purpose of this agreement is to ensure that G4S staff have the appropriate information to provide to the court when an offender breaches conditions of their electronic monitoring requirements. This will enable the Court to make an informed decision on how best to deal with offenders that breach their electronic monitoring requirements. This could help reduce re-offending and facilitate with the rehabilitation of offenders. It will incorporate measures aimed at
- Facilitating a co-ordinated approach that targets crime and potential crime;
 - Facilitating the collection and exchange of relevant information;
 - Facilitating Court Proceedings;
 - Ensuring that the sharing of information meets one or more of the policing purposes.
- 2.2 Additionally when G4S are required to fit an electronic tagging device, following a court order, they are required to correctly identify the individual prior to fitting taking place. By supplying an available photograph G4S will have adequate documentation to allow the correct individual to be tagged in accordance with the court order.

3. PARTNER (S)

- 3.1 This agreement is between the following partners:

G4S Justice Services Limited, Sutton Park House, 15 Carshalton Road, Sutton,

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and Lincolnshire Police, PO Box 999, Lincoln, LN5 7PH

4. POWER(S)

4.1 This agreement fulfils the requirements of the following:

- The Crime and Disorder Act 1998
- The Data Protection Act 1998 (Sections 29(3) & 35(2))
- The Human Rights Act 1998 (Article 8)
- The Rehabilitation of Offenders Act 1974
- The Criminal Justice Act 2003 (Section 215)
- The Offender Management Act 2007 (Section 14)
- The Bail (Electronic Monitoring of Requirements) (Responsible Officer) Order 2008

5. PROCESS

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

5.2 The sharing of personal data requires careful judgement in which the identified policing need must be considered against relevant issues dictated under Data Protection and Human Rights legislation. Any information the police consider sharing with a partner agency must therefore be accurate, necessary and proportionate.

Accurate: Police information must be accurate and relevant to the purpose for which it is being shared with proper reference made to the nature of the source and the intelligence itself.

Necessary: The necessity to share information between the Police, and G4S is to effectively deal with issues concerning the prevention, detection, investigation and prosecution of those persons engaged in criminal activity and/or anti social behaviour, and an ongoing responsibility to protect public safety.

Proportionate: In considering whether to share personal information the Police have a duty to ensure that a fair balance is achieved between the protection of an individuals rights and the general interests of society. In judging whether it is appropriate to share such information the Police, and G4S will examine whether the identified purpose infringes upon the subject's right to privacy, the appropriate measures to meet the purpose are both fair and rational and also that the means used are no more than is necessary to accomplish the purpose.

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6. TYPES OF INFORMATION TO BE SHARED

6.1 Lincolnshire Police will share:

- PNC Conviction Prints to enable G4S to provide relevant conviction/ cautions details to Court Proceedings when an offender breaches the conditions of their electronic monitoring requirements. This will enable the court to make an informed decision about the appropriate action to take when an offender breaches the conditions of their tagging order.
- Relevant Photographs, to enable G4S staff to identify and place an electronic monitoring device on offenders that have been issued with an electronic monitoring requirement by order of the Court. Please note Lincolnshire Police will only provide a photograph when it is readily available via a Genie Search.

6.2 G4S will share:

- Surname (including any previous names), Forename(s), Date of Birth, Place of Birth, Address, Previous Address (if moved within the last 5 years) of offender.

7. CONSTRAINTS ON THE USE OF THE INFORMATION

- 7.1 The information shared must not be disclosed to any party beyond the judicial system. The information must be stored securely and destroyed in line with the organisations data retention policy.
- 7.2 Any police information shared is only valid at the time of provision and should only be used for the purposes as requested.
- 7.3 Any information shared will be proportionate and necessary for the purpose for which it is being shared.
- 7.4 Any information shared must be handled and stored in accordance with the Government Protective Marking Scheme, see Appendix 1.

8. ROLES AND RESPONSIBILITIES UNDER THIS AGREEMENT

- 8.1 Each partner must appoint a single point of contact (SPoC), who must work together to ensure the processes of the agreement are fully adhered to.

Police SPoC	Title: RRD Supervisor Contact Details: Tel – 01522 947109/10
G4S SPoC	Title: Field Service Manager - Contact details: Tel - 07525 735503

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8.2 Lincolnshire Police will record each individual request for information and retain details of the request on an existing excel spreadsheet. Any requests for information must be for the purpose as detailed in this agreement.

8.3 Any request for information must meet one or more of the policing purposes.

Policing Purposes are defined as:

- Protecting life and property;
- Preserving order;
- Preventing the commission of offences;
- Bringing offender to justice, and
- Any duty or responsibility arising from common or statute law.

8.4 Within Lincolnshire Police the excel spreadsheet will be held and managed centrally by the **RRD Supervisor within the Information Management Unit at Force Headquarters.**

9. SPECIFIC PROCEDURES

9.1 Handling Requests for Information – all requests for information must be made in writing using the G4S Justice Services Ltd Request Form (see Appendix 2). All requests for information must be emailed to the following address: disclosure@lincs.pnn.police.uk to the 'Non CRB checks' unit.

9.2 The decisions to provide information in the form of a PNC Computer Printout will be documented on an existing excel spreadsheet, which indicates that the request meets a policing purpose. The excel spreadsheet will be retained by the Police SPoC, within the file created for such purpose. All replies to requests will be returned via secure e-mail to G4S via nottinghamcourtservices@uk.g4s.com.cjism.net

9.3 Photographs will be sent via secure e-mail alongside a P698B Form- Response to request for Personal Information (see Appendix 3). This will be documented on an existing excel spreadsheet, which indicates that the request meets a policing purpose.

9.4 Replies to requests will be made within ten working days (precons) and 48 hrs (photo ID).

9.5 The Police SPoC will submit any information received from G4S, as a result of a request for information, if relevant, via the 5x5x5 system into the Lincolnshire Police intelligence systems in a timely, accurate and proportionate manner.

10. REVIEW, RETENTION AND DELETION

10.1 Partners to this agreement undertake that personal data shared will only be used for the specific purpose for which it is requested. The recipient of the information is required to keep it securely stored and will dispose of it when it is no longer required,

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- in line with the relevant organisations data retention policy.
- 10.2 Files containing information from partner sources will be reviewed in line with force policy.
- 10.3 The recipient will not release the information to any party beyond the judicial system without obtaining the express written authority of the partner who provided the information.
- 10.4 G4S Managers will ensure that access to information received from the police will only be granted to those staff that need to see the information.

11. REVIEW OF THE INFORMATION SHARING AGREEMENT

- 11.1 This Information Sharing Agreement will be reviewed six months after its implementation, and annually thereafter. The nominated holder of this agreement is Lincolnshire Police. It is based on the Lincolnshire template for Information Sharing, which forms part of the guidance issued on the Management of Police Information by the Association of Chief Police Officers (ACPO) and the Home Office.

12. INDEMNITY

- 12.1 G4S, as receivers of police information will accept total liability for a breach of this Information Sharing Agreement, should legal proceedings be served in relation to the breach.

13. SIGNATURE

13.1 By signing this agreement, all signatories accept responsibility for its execution and agree to ensure that staff are trained so that requests for information and the process of sharing itself is sufficient to meet the purposes of this agreement.

13.2 Signatories must also ensure that they comply with all relevant legislation.

Signed on behalf of Lincolnshire Police

Title: _____

Rank / Position: _____

Date: _____

Signed on behalf of G4S.

Title: _____

Rank / Position: _____

Date: _____

Appendix 1



SENSITIVE DOCUMENTS SUPPLIED BY LINCOLNSHIRE POLICE – SECURITY REQUIREMENTS

Some of the electronic or hardcopy documents that you receive from Lincolnshire Police will contain sensitive or personal information. These documents will be provided to you on the understanding that you apply the protective measures described below.

GENERAL REQUIREMENTS

You must only use the information supplied by Lincolnshire Police for one or more of the following purposes:

- For the detection or prevention of crime;
- As specified in an Information Exchange Protocol that has been agreed between your organisation and Lincolnshire Police;
- For a specific purpose that has been agreed, in writing, by Lincolnshire Police.

You may not disclose, copy, or onwardly transmit information provided by Lincolnshire Police without its express, written permission, unless this is permitted within the terms of an Information Exchange Protocol agreed between your organisation and Lincolnshire Police.

You may only retain the information for a period of time that will enable you to fulfil the purpose for which it has been provided. The information must then either be securely destroyed or returned to Lincolnshire Police as detailed in these instructions. It is your responsibility to contact Lincolnshire Police to establish if any relevant change has occurred since the information was provided to you, and upon which you intend to base any decision or action.

PROTECTIVE MARKING & ASSOCIATED HANDLING RULES

Documents that contain sensitive information will usually display a protective marking on the top and bottom of each page. This indicates how sensitive the information is, and determines the protective measures that need to be applied to it. The appropriate measures for each marking are shown below.

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	RESTRICTED	CONFIDENTIAL
STORAGE OF PAPERS	Protected by <u>one</u> barrier, e.g. a locked container (restricted access) within a secure building.	Protected by <u>two</u> barriers, e.g. a locked container in a locked room (both with restricted access) within a secure building.
DISPOSAL OF PAPERS	Shred in a strip or cross-shredder or return to Lincolnshire Police. Keep secure if storing prior to disposal.	Shred in a cross-shredder or return to Lincolnshire Police. Keep secure if storing prior to disposal.
DISPOSAL OF FLOPPY DISKS & CDs	Dismantle floppy disks. Cut inner disks or CDs into quarters (at least). Dispose with non-restricted waste.	Dismantle floppy disks. Cut inner disks or CDs into quarters (at least). Dispose with non-restricted waste.
MOVEMENT WITHIN YOUR ORGANISATION	By trusted hand OR in a sealed envelope or container with the protective marking & descriptor shown. Include a copy of these instructions inside.	By trusted hand OR in a sealed envelope or container with the protective marking & descriptor shown. Include a copy of these instructions inside.
RETURN TO LINCOLNSHIRE POLICE	By trusted hand in a sealed envelope or container, OR by recorded delivery or courier service in a sealed envelope with no protective marking or descriptor shown (other than PERSONAL or PRIVATE), & addressed to an individual by name or appointment.	By trusted hand in a sealed envelope or container, OR by Special delivery or courier service in a sealed envelope using double envelopes, both fully addressed but with the protective marking shown on the <u>inner</u> envelope only. Provide a return address on the <u>outer</u> envelope.

G4S Justice Services Ltd

To: Disclosure Unit
Information Management Unit
Lincolnshire Police Headquarters

Tel: 01522 947109 / 947110
Fax: 01522 558491
Email: disclosure@lincs.pnn.police.uk

G4S Justice Services LTD Police National Computer Printout Request

Offender's Name (In Full)	
D.O.B	
Address:	
PNC ID (If Known)	
Court Date	

(Please tick the below boxes as required)

1. I require a PNC conviction print for a breach hearing

Disclosure Print
<input type="checkbox"/>

2. I require the most recent photograph (if available via Genie) to confirm the identity of the offender

Photograph
<input type="checkbox"/>

Note:

(The disclosure report printout is only to be used for the preparation of breach reports: it is not for disclosure).

Please forward the appropriate printout. Many thanks.

Signed:..... Date Requested:

Name:.....

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Appendix 3



FORM B: RESPONSE TO REQUEST FOR INFORMATION

Does the Provision of Information fulfil a Policing Purpose *	Yes	Yes	No	
Protecting Life and Property *				Yes
Preserving Order *				Yes
Preventing the Commission of Offences *				No
Bringing Offenders to Justice *				No
Any Duty/Responsibility arising from Common/Statute Law *				No
Decision to Provide Information *	Yes	Yes	No	

* Tick as appropriate

Signed:		Date:	
Name:		Rank/Title:	Non CRB Disclosure Officer
Contact No:	01522 947129 / 947130	Department:	Non CRB (IMU Dept)
Our Reference:		Your Reference:	

Subject details below			
Surname:		Forenames:	
Date of Birth:		Place of Birth:	

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Information Provided: *(complete or attach as appropriate / reason for refusal to provide)*

Following a request for the most recent photograph (if available via Genie) please see the below information:

Lincolnshire Police hold a photograph on the Genie system. Please see attached:	
Date photograph taken / uploaded onto the system	XX/XX/XX

Lincolnshire Police do not hold a photograph on the Genie system and as such are unable to provide one as requested	
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If available please see photo attached below:

END OF REPORT

Date Provided: