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INFORMATION SHARING AGREEMENT

INFORMATION SHARING AGREEMENT (ISA)

BETWEEN

Lincolnshire Victim Support

AND

LINCOLNSHIRE POLICE

Version 1.0

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SUMMARY SHEET

Information Sharing Agreement

ISA Ref:	LP005/CJS – Lincolnshire Victim Support
PURPOSE	To establish agreements, to ensure data sharing with Victim Support is compliant with the National VSS Codes of Practice and all relevant legislation, as Lincolnshire Police is committed to ensuring that victims of crime receive improved treatment from its staff.
PARTNERS	Lincolnshire Police Lincolnshire Victim Support
Date Agreement comes into force:	6 th April 2009.
Date of Agreement Review:	Six months after coming into force, then annually
Agreement Owner:	Lincolnshire Police
Agreement drawn up by:	Dominic Wilkinson – CJS Business Manager
Location of Signed Agreement in force:	Information Management Unit, Force HQ
Protective Marking:	Not protectively marked

VERSION RECORD

Version No.	Amendments Made	Authorisation
001	Initial Draft	Dominic Wilkinson - CJS
1.0	Authorised	Mr D. Massey – ISA Officer
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NOT PROTECTIVELY MARKED**1. INTRODUCTION**

- 1.1 Lincolnshire Police is committed to ensuring that victims of crime receive improved treatment.
- 1.2 This agreement outlines the need for the police and Victim Support to work together to ensure Lincolnshire Police provides enhanced treatment to victims of crime, by complying with the National VSS Codes of Practice and make appropriate and timely referrals to the Victim Support Scheme (VSS).

2. PURPOSE

- 2.1 The purpose of this agreement is to ensure Victims of Crime are referred to Victim Support in accordance with the National VSS Codes of Practice, and in compliance with the Data Protection Act 1998.
- 2.2 Lincolnshire Police will act to ensure that the wishes of Victims are fully taken into account **before** any referral to Victim Support is made, and that data protection issues are acknowledged.

3. PARTNER(S)

- 3.1 This agreement is between the following partners:

Lincolnshire Victim Support Scheme

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

4. POWER(S)

- 4.1 This agreement fulfils the requirements of the following:

The Data Protection Act 1998 (Sections 29(3) & 35(2))
 The Human Rights Act (Article 8)
 The National Victim Support Scheme Codes of Practice

5. PROCESS

- 5.1 This agreement has been formulated to facilitate the transmission of appropriate victim information to the Lincolnshire Victim Support Scheme.
- 5.2 The exchange of information is with a view to ensure that referred victims of crime receive enhanced support/treatment.

6. TYPES OF INFORMATION TO BE SHARED

- 6.1 Lincolnshire Police will share:

- Details of all victims of crime, by automatic referral to VSS for all crimes, except;
 1. Victims of sexual offences
 2. Victims of domestic violence

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3. Families bereaved by violence

4. Any crime where the victim does not consent to being referred.

Victims in categories 1 to 3 above will only be referred with their **explicit consent**.

The referral of victims will take place using a secure?? Automatic Data Transfer (ADT) to Victim Support.

- The following victim information will be sent to Victim Support using the ADT;
 - 1 Name
 - 2 Address
 - 3 Telephone Number
 - 4 Gender
 - 5 Ethnicity
 - 6 Brief details of Crime

6.2 Lincolnshire Victim Support Scheme will share:

- Performance data

7. CONSTRAINTS ON THE USE OF THE INFORMATION

- 7.1 The information shared must not be disclosed to any third party without the written consent of the victim, or agency that provided the information. It must be stored and transmitted securely, and deleted/destroyed when it is no longer required for the purpose for which it is provided.
- 7.2 Any information shared is only valid at the time of provision, and will relate to the specific crime identified.
- 7.3 Any information shared will be proportionate and necessary for the purpose for which it is being shared.

8. ROLES AND RESPONSIBILITIES UNDER THIS AGREEMENT

- 8.1 Each partner must appoint a Single Point of Contact (SPoC) who will work together to jointly solve problems associated with the transfer of information to VSS. The sharing of information must only take place where it is valid and legally justified.
- | | |
|-------------|---|
| Police SPoC | Title: Head of Criminal Justice Support?
Contact Details: Tel – 01522 55???? |
| VSS SPoC | Title: (Role – not name) Mike Stephens??
Contact Details: Tel – 01?? ??????? |
- 8.2 Lincolnshire Police responsibilities
- The officer recording the allegation will have responsibility for offering the assistance of the scheme and recording the victim's wishes.
 - Line managers will have responsibility for ensuring that staff are sufficiently knowledgeable about the scheme and its benefits, and that it is offered to victims of crime.
 - The CJIU will have responsibility to ensure that information is recorded accurately onto Crime Information System (CIS).
 - ICT will ensure that this information is retrieved from CIS and that the Automatic Data Transfer remains functional.

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- 8.3 Lincolnshire Victim Support Scheme responsibilities
- Victim Support will consult with the Head of Criminal Justice Support for Lincolnshire Police on any matters associated with the compliance or modification of this Information Sharing Agreement.
 - Any personal data shared by the police must **not be** stored on personally owned computers, in the possession of authorised persons within the VSS

9. SPECIFIC PROCEDURES

- 9.1 Reporting of a Crime
- 9.1.1 Lincolnshire Police staff will positively promote the services of Victim Support to victims of crime. It should be explained to the victim that his or her details would normally be passed to Victim Support unless he or she states that they do not want this to happen. Failure to provide a duty of care relevant to The Code of Practice for Victims of Crimes might lead to a complaint.
- 9.2 Victim consents to being referred to Victim Support
- 9.2.1 If the victim agrees to be referred, the officer will select the **YES** box on the Crime Report (P62J) and send this by FAX or Email to CJIU who will transfer that information to CIS. An automatic data transfer will send victim information, as defined in section 6 of this agreement, to Victim Support every 24 hours.
- 9.3 Victim does not consent to being referred to Victim Support
- 9.3.1 If the victim does not consent to being referred the officer will select the **NO** box on the P62J and send this by FAX or Email to CJIU who will transfer that information to CIS. By doing this the Automatic Data Transfer will exclude this Victim from referral.
- 9.3.2 This will aid Lincolnshire Police in any disputes, should the victim complain that their details have been passed on without prior consent. This procedure is also to be used to ensure compliance with Data Protection legislation and is in line with current ACPO guidelines.
- 9.4 Occasions where the **YES** or **NO** box has been left blank.
- 9.4.1 Although officers are advised to offer Victim Support on every appropriate occasion there will be instances where the officer is unable to select either **YES** or **NO** on the P62J. On occasions where the boxes are left blank referrals will be dependant on Crime Category and the transfer of information will take place as defined in Section 6 of this agreement.

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 when it is no longer required for the purpose for which it was requested, will safely dispose of it.
- 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 third party without obtaining the express written authority of the victim, or partner who provided the information.

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11. REVIEW OF THE INFORMATION SHARING AGREEMENT

<p>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 national 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.</p>
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12. SAFEGUARD

<p>12.1 Where an individual VSS member wilfully disregards instructions regarding the use of personal data from the police, the force may consider that the individual be excluded from any further sharing, i.e. inappropriate disclosure.</p>

<p>12.2 Whilst the document itself is not legally binding, it must be recognised that any action taken outside the agreement may be considered a criminal offence.</p>
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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 Lincolnshire Victim
Support Scheme

Title:

Rank / Position:

Date:

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