

INFORMATION SHARING AGREEMENT

INFORMATION SHARING AGREEMENT (ISA)

BETWEEN

Crime Reduction Action South Holland (Crash)

AND

LINCOLNSHIRE POLICE

Version 1.0

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SUMMARY SHEET

Information Sharing Agreement

ISA Ref:	LPOO1/S – Crime Reduction Action South Holland
PURPOSE	To create a system for the formal exchange of information and intelligence between the Police and Crime Reduction Action South Holland group, with the intention to prevent, detect, and/or reduce crime and anti-social behaviour within, and adjacent to properties owned or managed by members of Crime Reduction Action South Holland.
PARTNERS	Lincolnshire Police Crime Reduction Action South Holland.
Date Agreement comes into force:	3 rd December 2007
Date of Agreement Review:	Six months after coming into force, then annually
Agreement Owner:	Lincolnshire Police
Agreement drawn up by:	Insp T. Smith – South Division
Location of Signed Agreement in force:	Data Protection Office, HQ
Protective Marking:	Not protectively marked

VERSION RECORD

Version No.	Amendments Made	Authorisation
001	Initial Draft	Insp T Smith
1.00	Authorised	Insp T Smith
00		

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1. INTRODUCTION

- 1.1 Lincolnshire Police are committed to partnership working, and continually look for opportunities to work more closely with local identified partners to detect, prevent and reduce crime and anti-social behaviour.
- 1.2 This agreement outlines the need for the police and businesses to work together to alleviate crime and anti social behaviour within South Holland, and provides a framework for action.

2. PURPOSE

- 2.1 The purpose of this agreement is to enable action to be taken against crime and anti-social behaviour in properties owned or managed by members of Crime Reduction Action South Holland. It will incorporate measures aimed at:
 - Facilitating a coordinated approach that targets crime and anti-social behaviour;
 - Facilitating the collection and exchange of relevant information;
 - The pursuit of civil or criminal proceedings - either by Lincolnshire Police or by members of Crime Reduction Action South Holland;
 - Ensuring that the sharing of information meets one or more of the policing purposes.
- 2.2 It also seeks to increase the confidence of residents, while encouraging their support, to enable Lincolnshire Police and Crime Reduction Action South Holland, to combat crime and anti-social behaviour.

3. PARTNER(S)

- 3.1 This agreement is between the following partners:

**Crime Reduction Action South Holland (CRASH), Spalding Police Station,
Westlode Street, Spalding PE11 2AF**

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

4. POWER(S)

- 4.1 This agreement fulfils the requirements of the following:

- The Protection from Harassment Act 1997;
- The Crime and Disorder Act 1998 (section 115);
- Common Law Powers of Disclosure;
- The Rehabilitation of Offenders Act 1974;
- The Human Rights Act 1998 (article 8);
- The Data Protection Act 1998 (sections 29(3) & 35(2)).

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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.

6. TYPES OF INFORMATION TO BE SHARED

6.1 Lincolnshire Police will share:

- De-personalised information relating to crime or anti-social behaviour in the areas of business premises owned or managed by the Crime Reduction Action South Holland group.
- Details of incidents of relevant crime (e.g. theft, fraud, vandalism, begging) and anti social behaviour that occur in South Holland and have an effect on the members of the Crime Reduction Action South Holland group. The details will include location, date and time, details of individuals involved in such incidents, including name, date of birth, address, photograph, and means of disposal (i.e. whether arrested and charged). This information will be provided on a daily basis.
- Evidence relating to a conviction for an arrestable offence which occurred in the business premises, or in the vicinity of the business premises owned or managed by the Crime Reduction Action South Holland group, providing that the conviction is not considered spent under the Rehabilitation of Offenders Act 1974;
- Evidence relating to a caution accepted for an arrestable criminal offence that occurred in the business premises or in the vicinity of the business premises owned or managed by Crime Reduction Action South Holland group, where the date of the caution is less than twelve months from the disclosure date;
- Electronic, and other photographs and CCTV images of individuals who have committed crime and/or anti social behaviour in the business premises, owned or managed, or nearby, by the Crime Reduction Action South Holland group.

6.2 The Crime Reduction Action South Holland group, will share:

- Details of incidents of relevant crime (e.g. theft, fraud, vandalism, begging) and anti social behaviour that occur in South Holland to the Crime Reduction Action South Holland group members. The details will include location, date and time, and details of individuals involved. Many of these incidents will not be reported directly to the police. This information will be provided on a weekly basis.
- Electronic and other personal information of individuals that have committed crime and/or anti social behaviour within the business premises, owned or managed by members of the Crime Reduction Action South Holland group.
- Electronic and other photographs and CCTV images of individuals that have committed crime and/or anti social behaviour within the business premises, owned or managed by members of the Crime Reduction Action South Holland group.

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 agency that provided the information. It must be stored securely and

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deleted when it is no longer required for the purpose for which it is provided.

- 7.2 Any police information shared is only valid at the time of provision, and should only be used for the purpose as requested. It should not be used for any subsequent investigations, which should be subject to a new request for information.

8. ROLES AND RESPONSIBILITIES UNDER THIS AGREEMENT

- 8.1 Each partner must appoint a single point of contact (SPoC) who must work together to jointly solve problems relating to crime and anti social behaviour. The sharing of information must only take place where it is valid and legally justified.
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|------------------------|--|
| Police SPoC | Title: Spalding Sector Inspector |
| | Contact details: 01775 722233 ext 2639 |
| Crime Reduction Action | Title: Crime Manager |
| South Holland SPoC | Contact details: 01775 |
- 8.2 SPoCs must meet regularly to discuss and prioritise incidents of criminal or anti-social behaviour. Both contacts have a responsibility to create a file or folder that can record each individual request for information and the decision made. It must include copies of the request for information, details of the data accessed and notes of any meeting, correspondence or phone calls relating to the request.
- 8.3 Any request for information must meet one or more of the policing purposes.
- 8.4 Within Lincolnshire Police, the file **will be held and managed by the Spalding Sector Inspector**. This arrangement must be replicated within the Crime Reduction Action South Holland group.
- 8.5 The designated police officer must ensure that the request meets a policing purpose. Where the information refers to a victim or witness, their written consent must be obtained.

9. SPECIFIC PROCEDURES

- 9.1 Handling Requests for Information - all requests for information must be made in writing using Form A - Request for Personal Information.
- 9.2 The decision to provide information will be documented on Form B – Response to Request for Information. Both Form A and Form B will be retained by the Police SPoC within the file created for such purpose.
- 9.3 Requests may be made by fax but care must be taken where personal information is shared. Similarly, requests and replies should not be communicated via e-mail as the internet is not secure for the transition of personal and sensitive personal information.
- 9.4 Requests for information may be made by telephone in cases of emergency, for example, where there is a risk of immediate violence. Where this occurs, the request for information must be recorded on Form A, and submitted retrospectively.
- 9.5 Replies to requests must be made within ten working days.
- 9.6 The Police SPoC will submit any information received from the Crime Reduction Action South Holland group, 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.

Information Requested by the Crime Reduction Action South Holland group, Prior to Conviction or Caution:

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- 9.7 In some cases, civil proceedings may be a more appropriate route to take than a criminal prosecution. Where this occurs, it will be the responsibility of the police to determine whether or not they will support civil proceedings.
- 9.8 Where the Crime Reduction Action South Holland group, requests information about a particular individual when a criminal investigation has already started, any decision on whether or not to proceed with a criminal prosecution must be referred to the designated police officer who will liaise with the Crown Prosecution Service.
- 9.9 Where a criminal prosecution is pending and the Crime Reduction Action South Holland group wishes to pursue civil proceedings in advance of a prosecution, a police officer can only provide factual information with the prior consent of the Crown Prosecution Service. The police cannot provide opinion evidence.
- Information Requested by the Crime Reduction Action South Holland group Post Conviction, or Caution**
- 9.10 Where the criminal process is complete, copies of relevant police statements may be released to the Crime Reduction Action South Holland group. Statements obtained from witnesses will also be released provided the appropriate written consent has been given.
- 9.11 Convictions that are spent within the meaning of the Rehabilitation of Offenders Act will not be disclosed.

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. The force may also want to request a copy of the partner's information security policy (where it exists) when sensitive personal data is to be shared.
- 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 partner who provided 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 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.

12. INDEMNITY

- 12.1 The Crime Reduction Action South Holland group, 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.

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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 the Crime Reduction
Action South Holland group. _____

Title: _____

Rank / Position: _____

Date: _____