

## ITEM 4(j)

### CRIME AND COMMUNITY SAFETY PARTNERSHIP

28 FEBRUARY 2000

#### PROTOCOL ON INFORMATION EXCHANGE

##### 1. Purpose

- 1.1 To inform members of the information exchange powers that were introduced under Section 115 of the Crime and Disorder Act.
- 1.2 To highlight the prompt response of Thames Valley Police in drawing up an information exchange protocol.
- 1.3 To recommend a method of establishing an agreed protocol of information exchange between the partner agencies in Milton Keynes.

##### 2. Background

- 2.1 Section 115 of the Crime and Disorder Act introduces a power to exchange confidential information between police, councils, health authority and the probation service where it is considered necessary or expedient for the purposes of any part of the Act. The Audit Commission has subsequently encouraged the four authorities to develop information sharing protocols in response to this Section of the Act.
- 2.2 Thames Valley Police responded promptly to this, producing a protocol which the other agencies have been invited to countersign. The probation and health services have already done so, as have some local councils in the Thames Valley area. However, the issue is quite complex and the Partnership might wish to give detailed consideration to some particular points prior to establishing a joint protocol.
- 2.3 The complexity of the issue may be illustrated by the following examples:
  - (a) The police protocol was produced before the recent Youth Justice Board guidance on data exchange that was issued to youth offending teams. There has been no opportunity, therefore, to take this guidance into account.

(b) Although the Data Protection Act is addressed carefully in the Thames Valley protocol, there is less attention given to the Access to Personal Files Act. This is of particular significance in issues relating to personal information that is stored on social services files.

2.4 It is essential that this matter be addressed as soon as possible, with due attention to the excellent work that has been carried out by Thames Valley Police. It is suggested that a small working party from the Data and Information Sub-Group should be commissioned to consider this matter in detail, and report back to the Partnership.

### 3. **Recommendations**

3.1 That a working party should be commissioned from the Data and Information Group to consider the issues raised in this paper.

3.2 That the working party will include representatives of Police, Milton Keynes Council, the Youth Offending Team, Health and Probation, with advice being sought from the Council's Head of Legal and Property Services.

3.3 That the working party consider the Thames Valley Police protocol, together with any other relevant documentation, with a view to completing the report before the next meeting of the Partnership in June 2000.

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