



OPCC

Office of the Police &
Crime Commissioner
for Gloucestershire

AUTHOR: Amanda Segelov

SPONSOR: Rich Bradley, Chief Executive

DECISION NUMBER: 01/2020

(to be completed on approval)

SUBMITTED TO: Martin Surl, Police & Crime Commissioner for Gloucestershire

SUBJECT: Information Sharing Agreement

EXECUTIVE SUMMARY:

The attached briefing note sets out the legal basis for the sharing of information with and between the Office of the Police and Crime Commissioner for Gloucestershire and Gloucestershire Constabulary. It provides some examples of the types of reasons information should be shared between the parties but is not an exhaustive list.

The attached protocol is the legal document which sets out the parameters for the sharing of information between the two parties and is presented has been jointly drafted between the Head of Governance and Compliance for the Constabulary and the Chief Executive of the OPCC.

RECOMMENDATION:

1. The contents of the briefing paper be noted
2. The information sharing protocol is agreed and signed

OUTCOME/APPROVAL BY:

Signature:

Date: 28.01.20

Police and Crime Commissioner for Gloucestershire

Public Access to Information

Information in this form and associated reports is subject to the Freedom of Information Act 2000 and the Elected Local Policing Bodies (Specified Information) Order 2011. Where it has been indicated that this is a decision of significant public interest, all of this form except Part Two will be made available on the website of the OPCC.

Any information that should not be automatically available on request should not be included in Part One but instead on a separate Part Two form.

Is this a decision of significant public interest?

This includes a decision with any impact on the community, expenditure in excess of £50,000, or any decision that would be of obvious interest to the media or the general public

No, this is a document that solidifies a legislative obligation between the OPCC and the Constabulary

Is there a Part Two form?

This section should only include information that, if published:

- a) *would, in the view of the chief officer of the police, be against the interests of national security;*
- b) *might, in the view of the chief officer of police, jeopardise the safety of any person;*
- c) *might, in the view of the chief officer of police, prejudice the prevention or detection of crime, the apprehension or prosecution of offenders, or the administration of justice; or*
- d) *is prohibited by any enactment.*
- e) *breaches commercial sensitivity*

No

ORIGINATOR CHECKLIST (MUST BE COMPLETED)	Comments including who has approved the report if applicable
Has legal advice been sought on this submission if required?	Mike Griffiths has been an active participant in the drafting of the document and is happy with the final draft attached.
Has the Chief Finance Officer been consulted, if required?	N/A
Have equality, diversity and human rights implications been considered, as appropriate?	Complies with human rights and GDPR requirements.
How is the recommendation consistent with the objectives of the Police and Crime Plan?	Yes, it complies with the accessibility and accountability priority.
Has consultation been undertaken with people or agencies likely to be affected by the recommendation?	Supt. Chicken of PSD has been sighted on the content of the protocol and is happy as it continues previously agreed parameters.
Has communications advice been sought on areas of likely media, community, staff or partner interest and how they might be managed?	The Contact and Complaints Officer is aware of the Agreement and its impending publication on the PCC

	<p>and Constabulary websites should any complaints arise and arrangements are being put in place to communicate with complainants to direct them to the agreement.</p> <p>OPCC Communications Dept. is aware should any queries arise.</p> <p>Constabulary Governance and Compliance team aware should any FOI</p>
<p>Have all relevant implications and risks been considered?</p>	<p>The purpose of the document is to mitigate many of the risk around information sharing and seeks to formalise existing arrangements prior to legislative changes, to protect both parties equally.</p>

PART ONE – For publication

1. Purpose of the report

To allow the Governance Board to agree and present for signature an Information Sharing Agreement between the Office of the Police and Crime Commissioner for Gloucestershire and Gloucestershire Constabulary in order to comply with legislation.

2. Background

Legislative changes in 2017 meant that a specific data sharing agreement was required between the two separate legal entities to allow for the legal transfer of data between the two parties listed above where necessary. Agreement was reached on that basis but was not formally set out and signed off.

New legislation around Police complaints is due to come into effect from 1st February 2020 and this will required a specific agreement to be signed and in place to protect both parties and ensure that the specifics of both are able to be fulfilled efficiently and effectively.

The attached protocol has been jointly drafted by the Head of Governance and Compliance and the Chief Executive and is presented in a mutually agreeable format, having received legal advice on the matter.

3. Recommendation(s)

That the contents of the briefing paper are duly noted and that the Information Sharing Agreement is signed by the relevant Data Controllers and the PCC.

4. Financial and resource implications

None. This document formalises structures and information sharing policies already in place.

5. Risk assessment

The ISA mitigates against the risks of information sharing by setting out what is expected of both parties.

6. Equality & Diversity impact assessment

The protocol complies with the Human Rights Act

7. Environmental impact assessment

N/A

8. Consultation

Head of Governance and Compliance
Force Solicitor
Chief Executive OPCC
Head of PSD

9. Discussed with Communications & Engagement

The Contact and Complaints Officer is aware of the Agreement and its impending publication on the PCC and Constabulary websites should any complaints arise and arrangements are being put in place to communicate with complainants to direct them to the agreement.

OPCC Communications Dept. is aware should any queries arise.

Constabulary Governance and Compliance team aware should any FOI

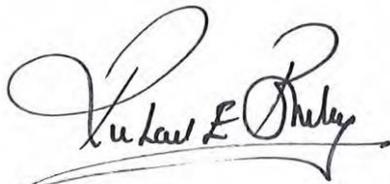
10. Conclusion

That the protocol be agreed and signed off.

SPONSORING BOARD MEMBER APPROVAL

Name: Richard Bradley

Job title: Chief Executive



Signature:

Date: 27/01/2020

CHIEF EXECUTIVE APPROVAL

I am satisfied that relevant advice has been taken into account in the preparation of the report and that this is an appropriate request to be submitted to the PCC.

A handwritten signature in black ink, appearing to read 'V. Law & P. Riley', with a long horizontal flourish underneath.

Signature:

Date: 27/01/2020