

## PFCC Decision Report

Please ensure all sections below are completed

<b>Report reference number:</b> 194-18
<b>Classification</b> (e.g. Not protectively marked/restricted):
<b>Title of report:</b> Information Sharing Protocol – Office of the Police, Fire and Crime Commissioner for Essex and Professional Standards Department of Essex Police
<b>Area of County/Stakeholders affected:</b> Countywide
<b>Report by:</b> Darren Horsman <b>Date of report:</b> 01 February 2019 <b>Enquiries to:</b> Darren Horsman

### 1. Purpose of report

This report seeks approval for an Information Sharing Protocol between Essex Police's, Professional Standards Department (PSD), and the Office of the Police, Fire and Crime Commissioner (OPFCC).

### 2. Recommendations

It is recommended that this Protocol is agreed.

### 3. Benefits of Proposal

This protocol will ensure that certain, specific forms of information are shared between PSD and OPFCC in a timely manner, support the Commissioner's role in scrutinising the Essex Police's Complaints Department while supporting overall public confidence in the system.

### 4. Background and proposal

A wide range of information is shared between the Police, Fire and Crime Commissioner for Essex and Essex Police and the process and basis for this

information to be shared is set out in the Information Sharing Agreement between the two organisations.

However, there are occasions where certain types of information need to be shared proactively in a timely manner to maintain the public confidence in the Essex Police Complaints System.

Having discussed this requirement at a regular scrutiny meeting between the OPFCC and Essex Police it was agreed the types of information required should be defined and set out in an Information Sharing Protocol.

The protocol includes reference to the following types of information:

- Independent Office for Police Complaints Referrals
- Complaint or Conduct matters likely to have significant media interest
- Complaint or Conduct matters likely to impact on public trust and confidence in policing
- Complaint or Conduct matters likely to have a significant impact on any current identified threats, themes or trends
- Complaint or Conduct matters likely to highlight structural weaknesses in the Force

#### **5. Police and Crime Plan**

Maintaining and improving public confidence in Essex Police is a key deliverable within the Police and Crime Plan. Maintaining an effective complaints system is an important contributor to this and this protocol sets out a process for supporting the ongoing scrutiny of the complaint system especially in relation to the specific types of information referred to above.

#### **6. Police Operational Implications**

This will set a clear protocol around how these types of information will be shared between PSD and OPFCC.

#### **7. Financial Implications**

There are not financial implications from this decision.

#### **8. Legal Implications**

This protocol relates to specific types of information specified in the document and above. It has been reviewed by the Force Solicitor in line with wider information sharing agreements.

#### **9. Staffing and other resource implications**

There are no staffing or other resource implications

#### **10. Equality and Diversity implications**

There are no Equality and Diversity implications

11. Background papers

OPFCC Constitution

**Report Approval**

The report will be signed off by the OPFCC Chief Executive and Treasurer, prior to review and sign off by the PFCC / DPFCC .

Chief Executive/M.O Sign: [Signature]

Print: P. BEWIS - ISHEWOOD

Date: 20 March 2019

Chief Financial Officer/Treasurer Sign: [Signature]

Print: ABBEY GOUGH

Date: 20/3/19

**Publication**

Is the report for publication?

YES   
NO

If 'NO', please give reasons for non-publication (state 'None' if applicable)

.....  
.....

If the report is not for publication, the Chief Executive will decide if and how the public can be informed of the decision.

**Redaction**

If the report is for publication, is redaction required:

1. Of Decision Sheet YES  NO  2. Of Appendix YES  NO

If 'YES', please provide details of required redaction:

.....  
.....

Date redaction carried out: .....

**Treasurer / Chief Executive Sign Off – for Redactions only**

If redaction is required, Treasurer or Chief Executive are to sign off that redaction has been completed.

**Sign:** .....

**Print:** .....

**Chief Executive/Treasurer**

**Date signed:** .....

**Decision and Final Sign Off**

I agree the recommendations to this report;

**Sign:** ..... 

**Print:** ..... *C. Hest*

**PFCC/Deputy PFCC**

**Date signed:** ..... *25/3/19*

I do not agree the recommendations to this report because;

.....  
.....  
.....

**Sign:** .....

**Print:** .....

**PFCC/Deputy PFCC**

**Date signed:** .....

**INFORMATION SHARING PROTOCOL**  
Office of Police, Fire and Crime Commissioner for Essex  
Professional Standards Department, Essex Police

**1. Purpose**

This document sets out the information sharing agreement between Essex Police Professional Standards Department and the Police, Fire and Crime Commissioner for Essex

A wide range of information is shared between the Police Fire and Crime Commissioner for Essex and Essex Police and the process for this is set out in the Information Sharing Agreement. However, it is recognised that to maintain public confidence in the complaints system certain specific types of information needs to be proactively highlighted to the Police, Fire and Crime Commissioner as soon as possible. This protocol establishes the types of information required for this purpose.

The Police Reform and Social Responsibility Act 2011 created the role of PCC for each of the police forces in England and Wales and set out the functions that the PCC must discharge. In order for the PCC to discharge those functions there is a requirement for some information in the possession of Essex Police to be shared with the PFCC. A reciprocal sharing of some information from the PFCC to Essex Police may also be required to assist in the discharge of the PFCC's functions.

**2. Information to be shared**

- Independent Office for Police Conduct referrals.
- Complaint or Conduct matters likely to have significant media interest.
- Complaint or Conduct matters likely to impact on public trust and confidence in policing.
- Complaint or Conduct matters likely to have significant impact on any current identified threats, themes or trends.
- Complaint or Conduct matters likely to highlight structural weaknesses in the Force.

**3. Legal Basis for sharing information**

The legal justification for the sharing of information between Essex Police and the PFCC is derived from the Police Reform and Social Responsibility Act and Statutory Instrument 2011 No. 2744, 'The Policing Protocol Order 2011'.

Sharing personal information in accordance with this protocol is lawful under the Data Protection Act 1998 schedule 2. Sharing personal information in accordance with this protocol is lawful under the Data Protection Act 1998 schedule 3.

**4. Agreement**

We undertake to implement and adhere to this protocol.

Signed: .....

Signed by Police, Fire and Crime Commissioner for Essex

Signed: .....

Signed by Chief Constable for Essex Police

