

# PAN Merseyside Multi-Agency Child Exploitation Protocol 2020

Date Published 20<sup>th</sup> April 2018  
Review Date 1<sup>st</sup> April 2020  
Review Date January 2021



Version 2 January 2020

**PAN Merseyside Multi-Agency Protocol  
Safeguarding children & young people from Child Exploitation  
(CE)**

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## **1. Introduction**

All agencies across Merseyside are fully committed to safeguarding children and young people from being sexually exploited or criminally exploited, whilst disrupting and prosecuting individuals who have exploited them. This Protocol provides a set of multi-agency principles for tackling Child Exploitation across Merseyside. An overarching term of Child Exploitation will be used throughout this Protocol to encompass both criminal and sexual exploitation of children in our area.

The Protocol details how through the Multi-Agency Child Exploitation meetings (**MACE**) we can reduce the harm posed to children from Child Exploitation alongside safeguarding procedures.

Child Exploitation, whether sexual or criminal, is child abuse. Children who become involved face huge risks to their physical, emotional and psychological health and well-being.

### **1.1 Why do children become involved?**

The common issues and reasons can be due to a number of factors, including vulnerabilities identified and being targeted by the abuser.

Children who run away or go missing from home, care or education are recognised as being more at risk of being targeted as a victim of exploitation.

Evidence is clear that a missing child is believed to be at risk from Child Exploitation, irrespective of the length of time they are away from home or a caring environment (Plass, 2007; CEOP, 2011b).

It is often the case that children do not perceive themselves to be victims, as they consider they have acted voluntarily. The reality is that their behaviour is not voluntary or consenting.

The PAN Merseyside Missing Children Protocol outlines the work that the partnership undertakes to safeguard children who have been reported as missing from home, care or education.

### **1.2 Signs of exploitation**

There are common vulnerability factors in children that can lead to them being more likely to be exposed to exploitation, and common signs and behaviours displayed by those who are already being exploited. The following are some of the typical vulnerabilities in children prior to abuse:

- Living in a chaotic or dysfunctional household (including parental substance use, domestic violence, parental mental health issues, parental criminality)
- History of abuse (including familial child sexual abuse, risk of forced marriage, risk of 'honour'-based violence, physical and emotional abuse and neglect)
- Recent bereavement or loss

- Gang association either through relatives, peers or intimate relationships (in cases of gang- associated CE only)
- Attending school with children who are exploited
- Learning disabilities
- Unsure about their sexual orientation or unable to disclose sexual orientation to their families
- Friends with children who are exploited
- Homeless
- Lacking friends from the same age group
- Living in a gang neighbourhood
- Living in residential care
- Living in a hostel, bed and breakfast accommodation, a foyer or homeless
- Low self-esteem or self-confidence
- Young carer

**The following are some of the signs and behaviour are generally seen in children who are already being exploited:**

- Regularly missing
- Parents / Care not reporting young person missing
- Drug or alcohol misuse
- Has extra money/new items/'gifts' that cannot legitimately be accounted for/received from unknown sources
- Change in physical appearance or behaviour
- Pregnancy, termination or repeat testing for sexually transmitted infections
- Young person has been coerced to take/share indecent images
- Arrested/Involved in criminality
- Found / travelling out of Borough
- Multiple mobile phones
- Young person feels indebted to an individual or group
- Family or young person having to move or leave their home
- Items missing from home
- Young person carrying / concealing weapons
- Absent from school / Non-school attendance
- Services have not been able to engage with child
- Self-harm indicators and/or mental health concerns and/or suicidal thoughts/attempts
- Injuries – evidence of physical or sexual assault
- Relationship breakdown with family and or peers
- Association with older and/or risky peers
- Change in education attendance/Change in education provider/Missing from education/Non-attendance in education

If professionals are undecided on whether the child is vulnerable or being exploited then the Signs of Child Exploitation Guidance Checklist (Appendix A) can be used to determine whether further advice of support is needed.

### **1.3 Definitions**

The below nationally agreed definitions will be utilized across Merseyside

#### **Child Sexual Exploitation**

Child Sexual Exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child under the age of 18 into sexual activity:

- (a) In exchange for something the victim needs or wants, and/or
- (b) For the financial advantage or increased status of the perpetrator or facilitator.

The victim may have been sexually exploited even if the sexual activity appears consensual. Child Sexual Exploitation does not always involve physical contact; it can also occur through the use of technology.

(Home Office 2017)

### **Child Criminal Exploitation**

Child Criminal Exploitation occurs where an individual or group takes advantage of a person under the age of 18 and may coerce, manipulate or deceive a child under that age into any activity

- (a) In exchange for something the victim needs or wants, and/or
- (b) For the financial advantage or increased status of the perpetrator or facilitator and/or
- (c) Through violence or the threat of violence.

The victim may be exploited even if the activity appears consensual (i.e. moving drugs or the proceeds of drugs from one place to another). Child Criminal Exploitation does not always involve physical contact; it can also occur through the use of technology. (Home Office 2018)

### **County Lines**

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of “deal line”. They are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons. (Home Office 2018)

County lines is a form of Child Exploitation (CE). It is a major, cross-cutting issue involving drugs, violence, gangs, safeguarding, criminal and sexual exploitation, modern slavery, and missing persons. The response to tackle it involves the Police, the NCA (National Crime Agency) and a wide range of Government departments, local government agencies and VCS (voluntary and community sector) organisations. County lines activity and the associated violence, drug dealing and exploitation have a devastating impact on children, vulnerable adults and local communities.

### **Cuckooing**

Urban gangs establish a base in the market location, often by taking over the homes of local vulnerable adults by force and/or coercion, in a practice referred to as ‘cuckooing’. Urban gangs then use children and vulnerable people to move drugs and money.

### **Modern Slavery Act 2015**

#### **Section 2 Human Trafficking**

A person commits an offence if the person arranges or facilitates the travel of another person to exploit them. It is irrelevant whether the exploited person, adult or child, consents to the travel. A person may, in particular, arrange or facilitate another person’s travel by recruiting, transporting or transferring, harbouring or receiving them, or

transferring or exchanging control over them.

‘Travel’ means arriving in, or entering, any country; departing from any country and travelling within any country. A person who is a UK national commits an offence under Section 2 regardless of where the arranging or facilitating takes place, or where the travel takes place.

A person who is not a UK national commits an offence under Section 2 if any part of the arranging or facilitating takes place in the UK, or the travel consists of arrival in or entry into, departure from, or travel within the UK.

**In determining whether or not a child is a victim of trafficking, their consent to being trafficked is irrelevant and how they are trafficked is also irrelevant. Only the act and the purpose need to be present. It is not necessary to prove coercion or any other inducement.**

Exploitation alone does not constitute trafficking – there also needs to be recruitment, transportation, transfer, harbouring or receipt of a person.

Slavery, servitude and forced or compulsory labour is, or may be, a crime in its own right under Section 1 Modern Slavery Act 2015.

### **Contextual Safeguarding (Firmin, 2017)**

Contextual Safeguarding is an approach to understanding, and responding to, young people’s experiences of significant harm beyond their families. It recognises that the different relationships that children form in their neighborhoods, schools and online can feature violence and abuse. Parents and carers have little influence over these contexts, and young people’s experiences of extra-familial abuse can undermine parent-child relationships. Therefore children’s social care practitioners need to engage with individuals and sectors who do have influence over/within extra- familial contexts, and recognise that assessment of, and intervention with, these spaces are a critical part of safeguarding practices. Contextual Safeguarding, therefore, expands the objectives of child protection systems in recognition that children are vulnerable to abuse in a range of social contexts.

### **National Referral Mechanism**

The National Referral Mechanism (NRM) is a framework for identifying and referring potential victims of modern slavery and ensuring they receive the appropriate support. Modern slavery is a complex crime and may involve multiple forms of exploitation. It encompasses:

- human trafficking
- Slavery, servitude, and forced or compulsory labour

An individual could have been a victim of human trafficking and/or slavery, servitude and forced or compulsory labour.

Victims may not be aware that they are being trafficked or exploited, and may have consented to elements of their exploitation, or accepted their situation. If you think that modern slavery has taken place, the case should be referred to the NRM so that the Single Competent Authority (SCA) can fully consider the case. You do not need to be certain that someone is a victim.

## **The Multi-Agency Child Exploitation meeting (MACE)**

Child Exploitation takes place in local communities and information is often known to the full spectrum of statutory and voluntary sector agencies should be used to highlight the threat, establish and reduce risk. It is anticipated that an improved intelligence picture will enable effective action in a greater number of cases of child exploitation, thereby reducing the harm that would otherwise be caused to the young victims and their families.

A MACE meeting will provide the framework to allow regular information sharing and action planning to tackle child exploitation across Merseyside. Representatives from a range of statutory, voluntary and community sector agencies will attend at the meeting.

## **Multi-Agency Child Exploitation Assessment tool**

The Multi-Agency Child Exploitation Assessment Tool at present is under review and certain Merseyside authorities (Liverpool, Sefton and Knowsley) have agreed to pilot the new assessment tool and new MACE meeting template from April 2020. (Appendix B).

All five Merseyside authorities will review the pilot use of the new assessment tool by the end of 2020 with the aim for all authorities to be using the same Multi-Agency Child Exploitation Assessment tool by January 2021. For those authorities that are not part of the pilot then they will continue to use the Child Exploitation Assessment tool 2 (CE2) (Appendix C)

## **2. Protocol Aims and Purpose**

This PAN Merseyside Multi-Agency Protocol seeks to unify a process of recognition, risk assessment, referral and discussion amongst professionals utilising a single process and document set for all. This Protocol aligns with local geographical area arrangements to safeguard children and sets out a clear pathway by which to ensure all organisations unify to provide the best service possible for all children and young people who are at risk of being exploited across Merseyside.

The aims and purpose of the Protocol procedures are to:

- Identify those who are at risk of being sexually and/or criminally exploited, by sharing information at an early stage and assessing risk using a consistent Child Exploitation Multi-Agency Assessment Tool.
- Apply pro-active problem solving to address the risks associated with victims, perpetrators and locations and to ensure the safeguarding and welfare of children who are or may be at risk from exploitation.
- Take proactive action against those who are intent on sexually or criminally abusing and exploiting children and young people.
- Ensure timely and effective interventions are offered to children and families so as to safeguard those vulnerable to exploitation.

- Ensure partnership agencies work collaboratively to safeguard children who are being, or are at risk of being exploited.
- Promote positive physical and emotional health and well-being of individuals identified as being at risk of child exploitation by ensuring appropriate therapeutic, sexual health and pre-trial therapy support is available to those children and young people who have experienced exploitation.
- To use data and intelligence to develop an understanding of child exploitation taking place across Merseyside, implement disruption tactics and ensure services are commissioned which can meet identified need.

### **3. Principles for consistently tackling Child Exploitation across Merseyside**

The following is a list of principles that each geographical area will ensure are included within their local area child exploitation procedure and operational partnership pathways:

- When a child has been exploited, it is **never** the child's fault. (Please see Appendix D) for the language agencies should use to ensure that they describe a child's behaviour and or presentation.
- All agencies across Merseyside should use a VPRF1 or Multi-Agency Referral Form to make a referral to the Front door/MASH.
- Referrals should always be made to the local geographical area where the child is currently residing.
- If the child is 'looked after' and placed out of their Local Authority geographical boundary, the child's allocated social worker from their home authority must always be informed that a VPRF1 or MARF has been made in relation to Child Exploitation concerns.
- Upon receipt of the VPRF1 or MARF in relation to Child Exploitation concerns, the local response will ensure a multi- agency information sharing and/or meeting takes place, in accordance with the level of risk initially identified. If there is risk of significant harm then a sec 47 strategy meeting must be convened which involves social care, police and partner agencies working with the child/family and CE flags can be actioned from this meeting for police and CSC systems.
- A Multi-Agency Child Exploitation Assessment Tool must be undertaken for all children:
  - Where there are signs of exploitation but this needs further exploration;
  - When there are clear indicators that would suggest that the child is being exploited but this needs further exploration;
  - Where there is evidence that the child is being exploited;
  - Where there is evidence that the child is being exploited and there are concerns that they are recruiting other children to be exploited



- A Multi-Agency Child Exploitation Assessment Tool must be completed in a multi-agency forum, and not by a single agency alone. It must include all multi-agency information including police.
- The child and their family's views must be sought to inform the completion of the Multi-Agency Assessment. It is good practice for the child and family to be part of this multi-agency meeting.
- If concerns are identified regarding compromised parenting and the parent/carer is believed involved in the exploitation of the child, the local area child protection procedure must be followed.
- If through completion of Child Exploitation Assessment tool that any cross geographical border links are identified, contact must be made with the local CE police lead and the Multi-Agency Safeguarding Hub (MASH) / Front door in the other Local Authority.
- If the child has been arrested for having possession of drugs/firearms in another geographical area, Merseyside Police should contact the investigating police force to discuss whether there is evidence of 'County lines' criminal exploitation of the young person.
- Merseyside Police will be the lead for the disruption actions undertaken, particularly when a child is criminally exploiting other children and/or involving them in 'County lines'.
- The Child Exploitation Assessment and plan must always include ways to strengthen the child's resilience and protective factors as a form of 'pulling them away' from the exploitation risk.
- The Child Exploitation Assessment, MUST link with the existing plan for the child (i.e. Early Help Plan, Child In Need Plan, Child Protection Plan or 'Looked After' Child's Care Plan).
- All Child Exploitation Assessments assessed as medium/ high must be reviewed every 12 weeks.
- If any significant intelligence / safeguarding concerns are identified before the due review date a Multi-Agency meeting must be reconvened to discuss the new information and the Child Exploitation Assessment tool must be re-considered and updated accordingly. If there are significant harm concerns this meeting must be convened as a Strategy Meeting with police, social care and partner agencies.
- When a child is made subject of a Child Exploitation Assessment under MACE the decision for flags to be put on the system and removed will be via the MACE. If Social Care are required to close a case prior to a MACE review and there are no signs of exploitation then a discussion can take place with the Local Authority CE lead on the most appropriate action.
- At each multi-agency review, the Child Exploitation Assessment and plan

should be re- analysed to ascertain if any new intelligence/concerns have been identified, as well as considering new protective factors.

- The child will only cease being subject of the MACE and Child Exploitation Assessments when the risk has been deemed by the multi-agency partnership to have reduced sufficiently and would indicate that a multi-agency plan is no longer necessary. A Child Exploitation flag can only be removed when this is the case. The decision to REMOVE a flag will be made in the Multi-Agency Child Exploitation (MACE) meeting.
- **Repeat Child Exploitation Referrals** - A repeat CE Referral is defined as when a child is no longer in the MACE process and a new CE concern has been raised which requires a Child Exploitation Assessment.
- **Links with other safeguarding children concerns i.e. MARAC/Radicalisation/ Trafficking etc.** If there are concerns regarding any of the above issues, a referral should be made via the relevant local pathways. The Child Exploitation Assessment should ensure the referral is reflected.
- When modern slavery is suspected consideration of submitting a National Referral Mechanism for (NRM). Merseyside Police process will be to record the offence of modern slavery on Niche using the occurrence type 'Child Exploitation' and the officer in charge of the investigation or the CE Coordinator would complete and submit the copy of the NRM that has been completed in a multi-agency forum, ensuring a copy is forwarded to the relevant Local Authority Children's Social Care.
- **Intelligence:** Where an agency has intelligence this should be shared with the police by:

**Tell us online reporting:** The Merseyside Police website is the quickest, easiest and most reliable way of sharing information with the police. As a partner agency simply go to the website and click 'Tell Us About' button. [www.merseyside.police.uk](http://www.merseyside.police.uk)

**Or Crimestoppers**, an independent charity who helps to solve crimes. Crimestoppers have an anonymous 24/7 phone number **0800 555 111**, that agencies can call to pass on information about crime. Alternatively people can send Crimestoppers information anonymously via their Giving Information Form. **Crimestoppers should only be used for intelligence submissions where details of a child are not known. Safeguarding concerns in relation to identifiable children need to be submitted via the process outlined above.**

#### **4. Process: What to do if you are worried about a child being at risk of exploitation.**

##### **4.1 If a child is not open to Children Services**

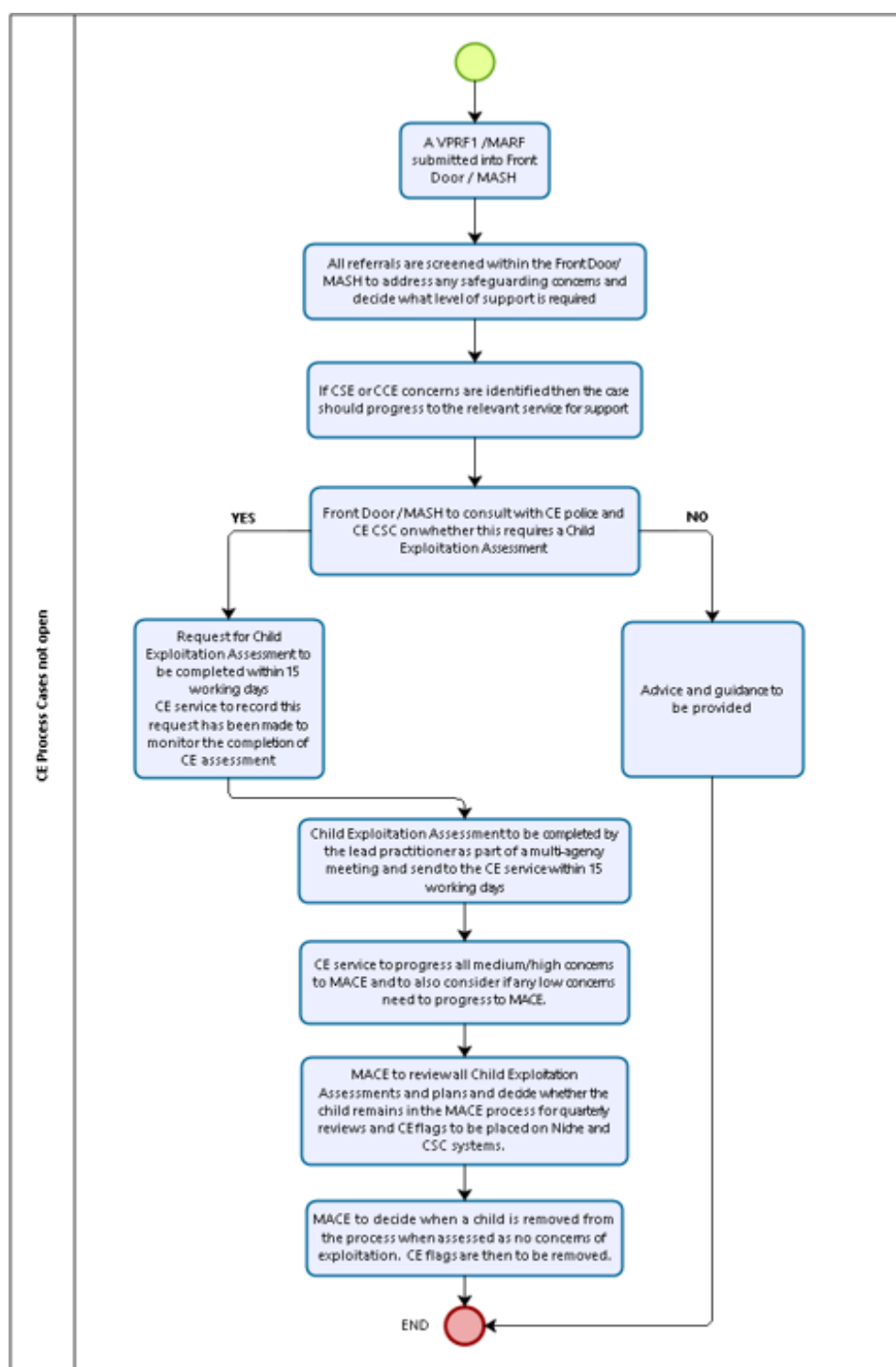
If a child is presenting with signs of being exploited then a Multi-Agency Referral Form (MARF) or VPFR1 must be completed and sent to the MASH/

Front Door of the local authority where the child resides. The MASH /Front door will screen the referral and a decision will then made to the level of presenting need and refer the child to the appropriate level of service if required:

- No further action
- Signposting
- Early Help
- S17 Initial assessment
- S47 Child Protection

If the child is the responsibility of another local authority then contact will be made with the responsible authority to ascertain what action is being taken. See Appendix E for links to Local Safeguarding Process

## Process map for children not open to Children Services



\*If CSC need to close a case prior to a MACE meeting and there are no exploitation concerns discussion to be held with the CSC CE lead

\*If a sec 47 strategy meeting is required due to exploitation safeguarding concerns then CE flags can be placed on Niche and CSC systems prior to MACE

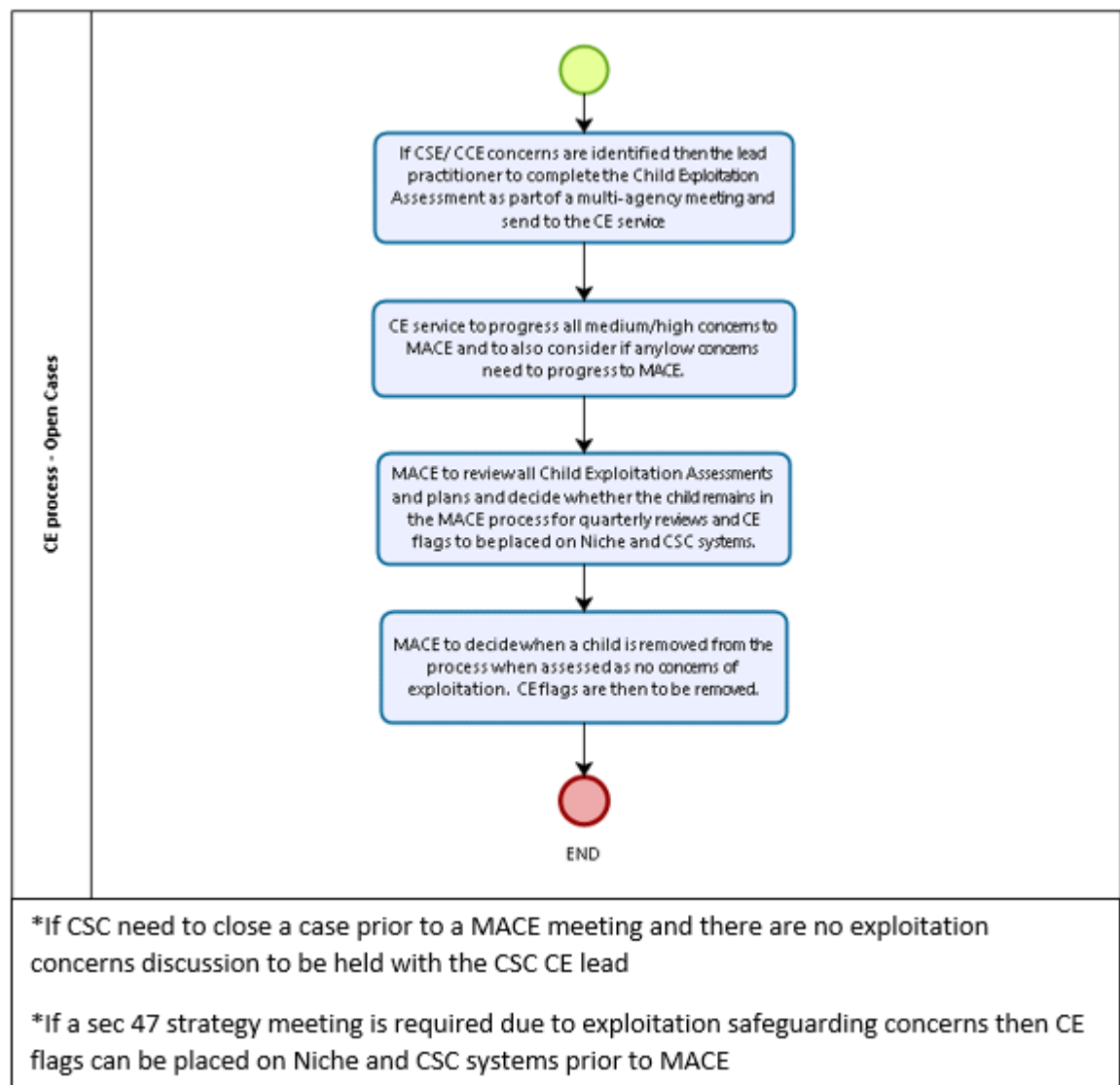
#### **4.2 If a child is open to Children Services**

If a child is presenting with signs of being exploited then a Multi-Agency Referral Form (MARF) or VPFR1 must be completed and sent to the MASH/ Front Door of the local authority where the child resides. The MASH /Front door will ensure the referral is sent to the allocated social worker.

The risk of harm to the child needs to be re- assessed in the light of the new information, a discussion held with the relevant team manager and a decision will then be made to the level of presenting need and refer the child to the appropriate level of service if required:

- No further action
- Signposting
- S17 assessment
- S47 Child Protection

## Process map for children open to Children Services



## 5. MACE

### 5.1 MACE principles

The MACE meetings, held in each of the local authority areas of Merseyside will be jointly-chaired by Merseyside Police (Detective Inspector) and a Social Care Senior Safeguarding Manager for the Local Authority (higher than a CSC Team Manager Grade).

A MACE meeting will provide the framework to allow regular information sharing and action planning to tackle child exploitation across Merseyside. Police and partner agencies will share intelligence within the MACE (See Appendix F) **Key Questions for Information Sharing and CE Intelligence/Information Sharing via MACE Process. (See Appendix G – Information Sharing Agreement)**

**Every MACE meeting requires attendees to sign a confidential statement (see Appendix H – MACE signing in sheet)**

The meeting will discuss concerns about child exploitation that have already been reviewed by the local CE MASH/ front door. Representatives from a range of statutory, voluntary and community sector agencies will attend at the meeting.

The meeting will consider each referral against intelligence held by the range of agencies represented at the meeting and intelligence provided by additional agencies unable to attend meetings, but required to provide intelligence in every relevant case.

The MACE will ensure that a Multi-Agency Child Exploitation Assessment and plan has been completed, detailing the tactical response to be provided by relevant agencies.

The MACE meeting will have the potential to call upon the diverse skills and experience available amongst its members.

In conjunction with dealing with individual cases of child exploitation, the meeting will be a forum for information sharing to increase the understanding of the threat posed by child exploitation across Merseyside.

The child's welfare is paramount. The MACE process will supplement safeguarding processes by contributing information gathered at the MACE to meetings where the child's plan is being discussed.

The MACE will not supplant, replace or override current safeguarding procedures.

Cases involving children who are at imminent risk, should not wait for the MACE meeting. The child or young person should be referred to the Front Door/ MASH immediately to ensure safeguarding procedures are commenced, as is usual practice in respect of safeguarding concerns. The MACE process will run alongside the safeguarding process to ensure all information in relation to child exploitation is collated at a central point.

At the MACE meeting, agency representatives will be asked to use their professional knowledge and expertise to assess the young person using the Child Exploitation Assessment to safeguard the victim, ensure the appropriate services are in place and target the perpetrator.

The actions allocated and information received at the meeting will be fully documented in the minutes of the MACE meeting and saved on the child's file.



## 5.2 MACE Terms of Reference

### MACE Terms of Reference

<b>Group</b>	Multi-Agency Child Exploitation
<b>Chair</b>	Jointly chaired by CSC (senior manager level) and Detective Inspector
<b>Membership</b>	
<b>Organisations</b>	<b>Organisation</b>
Children Service Teams	Council
Early Help Service	Council
YOS	YOS
Sexual Health	Health
Health	Health
Local policing	Merseyside Police
Catch 22	Pan Merseyside Catch 22
Safeguarding Lead	Education
CAMHS	CAMHS
Crime and Communities	Community Safety Partnership
Probation	Probation
CE Coordinator	Merseyside Police
Post 16 ETE	ETE post 16
Drugs services	Voluntary
CE team member (if applicable to area)	CE team
<b>Co-opted Members</b>	
<b>Title</b>	<b>Organisation</b>
Licencing	Council
Housing	Housing
<b>Purpose</b>	
The aim of the MACE is to provide a framework and governance to promote a clear consistent response to concerns in relation to child exploitation in Merseyside.	
<b>Key Objectives</b>	
<p>The MACE provides:</p> <ul style="list-style-type: none"> <li>• a framework to allow regular information/intelligence sharing and action planning to tackle CE from a range of statutory, voluntary and community sector agencies,</li> <li>• a governance structure to ensure all medium/high concerns about child exploitation have been assessed and responded to appropriately via safeguarding and enforcement agencies,</li> <li>• a process to ensure a certain standard is achieved in relation to the CE assessment and that CE identified needs have been responded to via the lead practitioners plan,</li> <li>• a forum identify and respond to gaps in provision and to escalate any identified concerns within agencies,</li> <li>• a meeting to share wider intelligence sharing of the CE risks and needs across Merseyside and to build upon intelligence to enhance safeguarding and disrupt perpetrators,</li> <li>• a process to identify any child who presents as a victim of exploitation and also a risk towards other children to ensure risk is identified and managed appropriately,</li> <li>• a meeting to focus on the 4 P objectives (prepare, prevent, pursue and protect),</li> </ul>	

- a forum to recognise good practice to share learning and ensure services try all approaches to engage children being exploited,
- to consider our transitional pathways for anyone turning 18 years old who are still assessed as being exploited,
- to monitor NRM referrals in terms of multi-agency involvement, criming, investigation, result and outcome for perpetrators, and
- to ensure all CE perpetrators that present a threat, harm and risk will be brought to the attention of local policing for a range of disruption opportunities to be considered.

The MACE meeting will not supplant, replace or override current safeguarding procedures. Cases involving children who are at immediate risk, should not wait for the MACE meeting.

## **Governance**

The MACE will report/ escalate to the local authority strategic group responsible for Child Exploitation and the Pan Merseyside Strategic MACE.

The MACE chairs will escalate any identified concerns within the local multi-agency safeguarding arrangements.

## **Role of members**

Members of the meeting will be responsible for the Multi-agency oversight of all CE assessment and the child's plan.

Members are expected to read all the paperwork that is sent out prior to the MACE and attend the MACE to express individual agencies opinion on:

- any missing information
- whether the risk level appropriate
- the standard of assessment and plan being appropriate

Members are also expected to:

- Be the single point of contact for agencies for CE
- Ensuring information or actions are disseminated within own agency / department / team and to other partners as relevant
- Active participation in agenda and discussion, bringing issues to and from own area of responsibility.
- Raise and escalate any concerns from an agencies perspective
- Undertake actions as agreed by the meeting
- To share good practice and what their agency has done when agencies have been unable to engage,
- Abide by the Information Governance guidelines for each agency and Data Protection Act

If a nominated member of the meeting is unable to attend, then a designated representative should attend in their place. The nominated delegate will be identified in advance and should be of an appropriate level to undertake decisions on behalf of the nominated member and their organisation. The nominated member should ensure that their designated representative has been briefed and provided with the relevant papers.

## **MACE agenda**

The MACE agenda will include the following standardised items:

- 1) CE assessments- initial and review
- 2) Oversight of National Referral Mechanism Referrals
  - Has this decision been reached via multi-agency discussion?
  - Has this been crimed?
  - Has this resulted in positive conclusion grounds decision?
  - Outcome of the decision? (Investigation of the trafficking? Court outcome? Support package?)
- 3) Intelligence and how this can be developed further by agencies
- 4) Strategic MACE update (demographics)
- 5) What works and any barriers agencies are facing

## **Frequency**

Minimal requirement : monthly

## **6. National Referral Mechanism**

A decision as to whether to submit an NRM in respect of a child or young person is best taken in light of all the available information and intelligence. This is to ensure the NRM is fully informed, safeguarding partners are aware of the wider information and intelligence and can prioritise and safeguard appropriately.

Safeguarding Partners should share information at the earliest opportunity when concerns arise that a child or young person who may be subject to modern slavery. Information shared should support a multi-agency decision on the submission of an NRM to the competent authority. An NRM referral should not prevent immediate safeguarding actions taking place, information from the NRM assessment may contribute to safeguarding responses.

This approach may identify other children or young people at risk of being trafficked or exploited, suspected perpetrators or other persons or professionals capable of providing safeguarding interventions.

The safeguarding partners should retain oversight of the progress of NRM's so effective multi agency decision making can be made in light of decisions taken by the competent authority. This includes if, when and how to inform a child or young person to support their safety and welfare. This information sharing and a partnership approach is underpinned by the principles of Working Together 2018, will avoid safeguarding partners acting in isolation; and maximise the opportunities to safeguard the child or young person.

Local partnership governance should ensure appropriate arrangements are in place to track and review NRM cases, submission and status. This may happen through the local multi-agency safeguarding arrangements, MACE or other appropriate governance.

To complete a NRM: <https://www.gov.uk/government/publications/human->

## **7. Role of Agencies**

### **Merseyside Police**

To tackle child exploitation, Merseyside Police will undertake to:

- Identify instances of child exploitation
- Assess and manage risk to children and young people to prevent harm and/or reduce the impact of harm
- Undertake criminal investigations and take positive action against abusers.
- Work with partner agencies to support and protect child victims and their families.
- Develop intelligence to prevent instances occurring, support investigations and to assist partner agencies to take positive action.
- Identify and record themes, patterns and trends in child exploitation.
- Take positive action to disrupt activity.

Investigating child exploitation requires a proactive approach to intelligence gathering, so that patterns of abuse and the form it takes, can be identified both locally and on a larger scale. It is vital this information is shared with partner agencies to help identify and protect those at risk, and to identify potential perpetrators. Ensuring that links are made with children and young people who are going missing, or displaying any of the warning signs or vulnerabilities from the guidance checklist (Appendix A), can help to identify and manage risk at an early stage.

It is vital that Merseyside Police work closely with partner agencies to develop a coordinated response to any concerns about child exploitation, ensuring that the child's welfare and safety is the primary consideration when responses are planned.

### **Police Child Exploitation Coordinators**

The CE Police Coordinator is responsible for:

- a) MACE preparation
- b) read all the CE 2 forms
- c) make additional enquires on any significant information contained in the CE forms
- d) ensure any relevant information is submitted as intelligence on police systems
- e) MACE attendance, contribution and take actions from the MACE
- f) To update the MACE with any intelligence or hotspot information including Force Intelligence Bureau (FIB) CE briefings
- g) Manage CE flags on Niche
- h) Ensure transition of the CE for all children moving in and out of the borough to other MACE processes
- i) Ensure all CE assessment tools are on police systems

## Health Services

Government guidance on children involved in sexual exploitation, notes:

***'Because of the universal nature of most health provision, health professionals may often be the first to be aware that a child may be involved, or be at risk of becoming involved, in child exploitation.'***

***Children involved in sexual exploitation are likely to need a range of services, including advice and counselling for harm minimisation, health promotion, advice on sexually transmitted diseases and HIV'***

Health professionals should be alert and competent to identify and act upon concerns that a child is at risk of or experiencing abuse through exploitation. They have a crucial role in providing support for the physical and mental health of these children.

Where health professionals have immediate concerns, they should make a referral to the MASH.

Where the concerns are not immediate or are unclear, staff should discuss the case with their safeguarding lead. A decision should be made as to whether this would be an appropriate referral to the MASH/ Front door.

Health staff should offer and/or continue to provide health education, counselling, sexual health and medical intervention to the child as an appropriate part of early intervention.

Health professionals who may be invited to attend multi-agency meetings include:

- All current health professionals involved with the child, including school nurses, nurses working with children in care, GP's, practice nurses, health workers involved with outreach clinics, sexual health and family planning resources.
- Any previously involved health professionals (recent past) who would have a useful contribution to make to the meeting (i.e. most recent health reports and knowledge of child while at school).
- Health professionals involved in any screening or medicals involving the child who is the subject of the meeting (e.g. Community Medical Officer, GP) or
- When no other health person is involved, current or past, the Trust's safeguarding lead should attend in an advisory capacity.

## Schools and Colleges

Staff in schools, further education colleges and other education establishments, are uniquely placed to recognise and refer children who are abused through exploitation. They are also in a position to help children to avoid being exploited and to support abused children to recover.

Personal, Social and Health Education (PSHE) programmes can help children make informed and healthy choices about issues such as sexual activity,

grooming techniques, drug use and keeping themselves safe.

Schools should also be aware of who is picking up or meeting children at the end of the school day and also be aware of their respective 'E-Safety' processes which help inform children and families on how to be safe online.

Representatives from education have an active role, which is not limited to prevention, but also to sharing information in respect of children and young people with whom they share a great deal of time and experiences. It is anticipated that children missing education lead will have regular representation at the monthly MACE meeting and provide, amongst other information, when a child or young person has been missing from education.

Staff should have knowledge and be familiar with the Safeguarding in Education guidance (DfE 2019)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/835733/Keeping children safe in education 2019.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/835733/Keeping_children_safe_in_education_2019.pdf)

### **Youth Offending Service (YOS)**

Youth Offending Team/Service practitioners from the five Merseyside YOTs deal with young people who have or are at risk of committing offences, but can also be the victims of criminal exploitation. The expectation in terms of practice is as follows:

- All young people will be managed in ways that reduces their vulnerability/safeguarding need, and any risk of harm they may present through skilled assessment, the delivery of well-targeted and quality interventions and risk management planning. The sharing of information with other key agencies will be central to this.
- Recognition of factors, which pose a risk to children's safety and welfare, and the implementation of agency procedures to protect children from harm (MAPPA/MARAC/Child Safeguarding procedures).

In conjunction with the other agencies and organisations involved in the MACE meeting, Youth Offending Teams/Services will be integral to the success of the process in providing and sharing of information and intelligence. It is anticipated that Youth Offending Teams/Services will have regular representation at the MACE meeting for their geographical area.

### **Probation**

Probation staff will deal with perpetrators, and in some cases victims, of child exploitation, including children. The expectation in terms of practice is as follows:

- All perpetrators will be managed in ways that reduces the risk of harm they may present through skillful assessment, the delivery of well-targeted and quality interventions and risk management planning. The sharing of information with other key agencies will be central to this.
- Recognition of factors, which pose a risk to children's safety and welfare, and the implementation of agency procedures to protect children from harm (MAPPA/MARAC/Child Safeguarding

procedures).

- Provision of services to child victims of criminal exploitation in conjunction with the other agencies and organisations involved in the MACE.

## **8. Pan Merseyside Performance Reporting**

Each borough will report quarterly into Pan Merseyside Strategic MACE:

- 1) Number of CE assessment proceeded to MACE
- 2) How many children in MACE (medium or high)
- 3) How many children were closed off MACE (assessed as low)
- 4) How many children were closed as agencies have been unable to engage
- 5) How many re-referrals back into MACE within six months
- 6) No. of children assessed as high risk for over six months and findings
- 7) No. of escalations have been made by MACE chairs and outcome
- 8) No. of NRM submitted and where they completed as part of a Multi-Agency forum?

Analysis of the above:

## Appendix A

# Signs of Child Exploitation Guidance Checklist

- This guidance checklist can be used by all professionals working with children aged 10+.
- This guidance checklist can help you focus on the specific indicators of child exploitation and determine whether further advice and/or support is needed. The checklist could be used in supervision, in discussions with parents and carers, with other professionals and with the child.
- Professionals need to exercise their own judgement when completing the checklist. This includes capturing concerns about which they have some evidence **AND** concerns based on their “gut feelings”. Staff should differentiate between the two and explain this in the notes section.
- Where child exploitation is suspected the worker should discuss their concerns with their manager and should also inform their agency’s lead professional who will be monitoring the bigger picture for any emerging patterns.
- Professionals should feel free to use the checklist creatively, including as part of awareness raising work with children or in engaging parents and carers in understanding the issues.
- Once completed if it confirms concerns and/ or identifies risk of significant harm, you **MUST** make a referral to the local Multi Agency Safeguarding Hub
- Please add any intelligence you may have on to Tell Us <https://www.merseyside.police.uk/tua/tell-us-about/soh/something-youve-seen-or-heard/>

### Child’s Details

Child’s Name:		DoB:	
Address:		Home Phone:	
GP Surgery:		School/College:	

**Person completing this tool.**



Name and job title of person completing:		Date completed:	
Organisation:		Contact e-mail: Telephone:	

### Lead Agency Involvement

No Lead Agency	Early Help	Child in Need	Child Protection	Looked After

Which of the following are applicable to this young person?

	Please provide any information you have in relation to any of these indicators.
Has the young person gone missing regularly? This could be only a few hours or for longer periods. Is there any pattern to these missing episodes?	
Are there any concerns that Parents / Carers are not reporting a young person missing?	
Is there any concerns about drug or alcohol misuse?	
Has extra money/new items/'gifts' that cannot legitimately be accounted for/received from unknown sources	

Has there been any changes in the young person's physical appearance or behaviour?	
Has the young person been pregnant, had a termination or repeat testing for sexually transmitted infections?	
Has the young person been coerced to take/share indecent images?	
Has the young person been arrested/Involved in criminality?	
Has the young person been found / travelling out of Borough?	
Has the young person have multiple mobile phones?	
Does the young person feel indebted to an individual or group?	
Family or young person having to move or leave their home	
Are there items missing from the home?	
Young person carrying / concealing weapons	

Associates known to be involved in criminality or Organised Crime Groups (OCG's)	
Absent from school / Non-school attendance	
Services have not been able to engage with child	
Living in a chaotic / dysfunctional household	
Low self-esteem / self confidence	
Association with others who have been exploited	
Self-harm indicators and/or mental health concerns and/or suicidal thoughts/attempts	
Injuries – evidence of physical or sexual assault	
Has there been a recent relationship breakdown with family and or peers?	
Is the young person homeless?	

Association with older and/or risky peers – who are they?	
Is the young person a Young Carer?	
Change in education attendance/Change in education provider/Missing from education/Non-attendance in education	
Young person's sexuality increases their vulnerability as they feel unaccepted due to sexual orientation	
Is there any information about risky adults in the young person's life? If so, who are they? Nicknames? D.O.B? Car registrations or phone numbers? Please also submit this information to the police 'Tell Us Website.'	
Any other information that professionals, family or young person feel is relevant? Any locations that are of concern? Addresses being attended by young	

people? Any parks, shops or other public spaces raised as a concern?	
Does the child have a trusted relationship with a safe adult? If so who is it? It could be a professional, relative or family friend.	

<b>Are Parents / Carers aware of these concerns? What are their views?</b>	
<b>Does the young person have awareness of these concerns? What is their view?</b>	

## Appendix B Pilot Pan Merseyside Multi-Agency Child Exploitation Assessment tool

### Pilot Merseyside Child Exploitation Assessment Tool

<b>Date of assessment:</b>					
<b>Professionals involved in the assessment:</b>					
<b>Other professional involved with the family:</b>					
<b>Child's Information</b> (please complete a separate CE assessment per child)					
<b>Name</b>		<b>D.O.B</b>		<b>Agency</b>	
<b>Address</b>		<b>National Referral Mechanism stage</b>	Referred Positive reasonable Conclusive grounds Negative	<b>Lead Practitioner</b>	
<b>Mother's details: D.O.B:</b>		<b>Father's details: D.O.B:</b>		<b>Other carers/ guardians (step-parents or partners)</b>	

<b>Identity</b>									
Ethnicity		Nationality		Gender		Sexual Identity		Disability	

<b>Current Living situation</b>											
At home		Living with other family member		Foster care		Children's Home		Semi / Independent Living		Homeless	

Context: Criminal Exploitation								
Out of borough drug dealing		In borough drug dealing	Storing weapons / drugs for others	Family linked to organised crime	Committing offences under coercion	Warning signs	Financial	Online

Context: Sexual Exploitation															
Online		Party		Exploitative Relationship		Adult/ Lone Offender		Group / Gang		On Street		Peer		Warning signs	

Reason for referral into Multi-Agency Child Exploitation (MACE)	<ul style="list-style-type: none"> <li>○ Criminal Exploitation</li> <li>○ Sexual Exploitation</li> <li>○ Both</li> </ul>	
	Reason:	
Chronology of exploitation concerns:	Date:	Information:

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	What is working well?	What are we worried about?	What needs to happen?	Additional Information
<b>Missing / Absence</b>  <b>Things to consider:</b> <ul style="list-style-type: none"><li>Does the child go missing?</li><li>Frequency of missing episodes and length?</li><li>Is the child where they should be in the day?</li><li>Details of missing incidents: timings, reasons, patterns, places and associations whilst missing.</li><li>Do parents / carers report their child missing? If not why?</li><li>Is it safe for them to be where they should be?</li></ul>				
	Voice of the child and family:	Voice of the child and family:		
<b>Child</b>  <b>Things to consider:</b> <ul style="list-style-type: none"><li>What is the child's emotional responses to the exploitation?</li><li>Child's own safety plan.</li><li>Interests, positive activities, skills and qualities, personality traits.</li></ul>				



<ul style="list-style-type: none"> <li>• Sexual health</li> <li>• Substance use</li> <li>• ASB/ Offending: known to carry weapons and reason why?</li> <li>• Physical / mental health concerns: Adverse Childhood Experiences, self-worth, bereavement / loss</li> <li>• Injuries – evidence of physical or sexual assault/ A&amp;E admissions,</li> </ul>	Voice of the child and family:	Voice of the child and family:		
<p><b>Family / Home</b></p> <p><b>Things to consider:</b></p> <p><b>Parent/Carer:</b></p> <ul style="list-style-type: none"> <li>• Their understanding of exploitation</li> <li>• Their resilience</li> <li>• Positive/negative relationship?</li> <li>• Are they benefitting from drug dealing/criminal acts?</li> <li>• Mental health concerns?</li> <li>• Substance misuse issues?</li> </ul> <p><b>Siblings:</b></p> <ul style="list-style-type: none"> <li>• Positive/negative relationships?</li> <li>• Have they been/could they be targeted for exploitation?</li> </ul> <p><b>Family:</b></p> <ul style="list-style-type: none"> <li>• Any cultural/ethnicity considerations?</li> <li>• Support network – what does it look like? Is it working? What support would be needed?</li> <li>• Any positive influences in the family? Nature of their relationship?</li> </ul>				
	Voice of the child and family:	Voice of the child and family:		

<ul style="list-style-type: none"> <li>Overall vulnerabilities – domestic abuse, financial issues, criminality within the family, ACEs</li> <li>Accommodation – is it suitable? Is it safe? Who is living in the home? Landlord?</li> </ul>				
<b>External Relationships</b>  <b>Things to consider:</b> <ul style="list-style-type: none"> <li>Positive and trusted relationships?</li> <li>Known / suspected involvement in exploitation / crime?</li> <li>Potential perpetrators / groomers of the child?</li> <li>How they are known to each other?</li> <li>Social status of the child in the group?</li> <li>What are the social norms within their groups?</li> <li>What need is this relationship meeting?</li> <li>Is the child presenting a risk towards others?</li> </ul>				
	Voice of the child and family:	Voice of the child and family:		
<b>Education, Training and Employment</b>  <b>Things to consider:</b> <ul style="list-style-type: none"> <li>What is the school / provision offer (including details of timetable)?</li> <li>Exclusions / attendance?</li> </ul>				Neurodevelopmental pathway: NEET: ECHP:  School _____

<ul style="list-style-type: none"> <li>• Significant incidents in school</li> <li>• Previous involvement in education welfare service</li> <li>• EHCP details</li> <li>• SEN factors considered to increase child's vulnerability to exploitation?</li> <li>• Is the child safe in school?</li> <li>• Culture within provision.</li> </ul>	Voice of the child and family:	Voice of the child and family:		Alternative provision _____  Hours offered a week: 0-5, 5-10, 10-25 <hr/>
<b>Locations</b>  <b>Things to consider:</b> <ul style="list-style-type: none"> <li>• Where are the child's safe spaces?</li> <li>• Locations of concern and why? (Including party locations or potential cuckooed addresses- who owns the property/ social landlord?)</li> <li>• Can these locations be made safer?</li> <li>• Rival groups / gangs?</li> <li>• How has the child travelled? Date / time and who with?</li> </ul>				Area child lives _____ Areas exploitation is taking place: in borough and out of borough _____
<b>Social media / phone / online</b>  <b>Things to consider:</b> <ul style="list-style-type: none"> <li>• Social media profile details (consider obtaining actual profile names)</li> <li>• Access and usage?</li> <li>• Apps used</li> </ul>	Voice of the child and family:	Voice of the child and family:		

<ul style="list-style-type: none"> <li>• Multiple phones and sim cards?</li> <li>• Has the child been targeted or abused on line?</li> <li>• Has the child been coerced to take / share images?</li> <li>• Parents / carers safety plan in response to online concerns and knowledge of social media.</li> </ul>	Voice of the child and family:	Voice of the child and family:		
<b>Professional's ability to engage</b>  <b>Things to consider:</b> <ul style="list-style-type: none"> <li>• Professionals adapting to child and parent's needs.</li> <li>• Is the child/ family safe to pull away from the exploitation?</li> <li>• Can we provide a plan to help the child move away from the exploitation?</li> <li>• Trusted relationship with a professional?</li> <li>• Agencies able to engage?</li> <li>• What additional pressure may be placed on the child / family due to contact with professionals?</li> <li>• What has worked well previously?</li> <li>• Is there something that can be adapted to make it safe?</li> </ul>				
	Voice of the child and family:	Voice of the child and family:		

<b>Impact of the exploitation on the child and family:</b>  <b>Things to consider:</b> <ul style="list-style-type: none"> <li>• Trigger / possible reason the exploitation started?</li> <li>• Has extra money/new items/ gifts that cannot be legitimately be accounted for/received from unknown sources</li> <li>• Information to suggest threats have been made/ money owed/ drug debt?</li> </ul>	
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<ul style="list-style-type: none"> <li>• Media footage or sexual assault or images or involvement in criminality being shared?</li> <li>• Where is the child and family in their understanding of the exploitation?</li> <li>• Consideration of research in relation to adolescent development, trauma, exploitation.</li> <li>• ETE/ accommodation changes.</li> </ul>	
<b>Chronology and impact of the work that has been completed?</b>	
<b>Professional judgement in relation to exploitation?</b>	<ul style="list-style-type: none"> <li>○ <b>Child is being exploited and presents a risk of exploitation towards children (Evidence of exploitation or multi-agency professional judgement)</b></li> <li>○ <b>Child is being exploited (Evidence of exploitation or multi-agency professional judgement)</b></li> <li>○ <b>Child may be being exploited (Signs the child is exploited but no clear evidence)</b></li> <li>○ <b>Child is not being exploited (No signs or evidence the child is being exploited)</b></li> </ul>

**Tell us online reporting:** The Merseyside Police website is the quickest, easiest and most reliable way of sharing information with the police. As a partner agency simply go to the website and click 'Tell Us About' button. [www.merseyside.police.uk](http://www.merseyside.police.uk)

MACE Meeting Template: Date of MACE: \_\_\_\_\_ Chairs of MACE \_\_\_\_\_

Name		D.O.B	
Lead Practitioner		Agency	

Date assessment completed:	Was the assessment completed in a multi-agency forum?
Date NRM was completed:	Was the NRM completed in a multi-agency forum? Stage of NRM: _____
Police investigation update:	
Intelligence update:	
Agencies updates since completion of the assessment:	

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In relation to	Any actions or changes required in addition to the child's plan	Person responsible	Timescales	Completed	Performance
Missing/ Absence					Increase Stay the same Decrease
Child					Increase Stay the same Decrease
Family/ Home					Increase Stay the same Decrease
External relationships  Is any of the associations open to the MACE or have been referred to local					Increase Stay the same Decrease

<b>policing for disruption?</b>					
<b>Education, Training and Employment</b>					Increase Stay the same Decrease
<b>Locations</b>					Increase Stay the same Decrease
<b>Social Media / phone / online</b>					Increase Stay the same Decrease
<b>Agencies engagement</b>					Increase Stay the same Decrease



Exit strategy? Is the child turning 18 and risk is still evident.					Yes?  No?
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**Suspected Perpetrators:**

Perpetrators identified:	Actions already taken:	Other actions required (consider 4 P'S):
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ACE decision in relation to exploitation?	<ul style="list-style-type: none"> <li>○ Child is being exploited and presents a risk of exploitation towards children (Evidence of exploitation or multi-agency professional judgement)</li> <li>○ Child is being exploited (Evidence of exploitation or multi-agency professional judgement)</li> <li>○ Child may be being exploited (Signs the child is exploited but no clear evidence)</li> <li>○ Child is not being exploited (No signs or evidence the child is being exploited)</li> </ul>
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**MACE decision:**

- To bring back to MACE for review in \_\_\_\_\_ months' time
- To remove from MACE and remove CE flags
- Closed due to agencies being unable to engage and what action has been taken \_\_\_\_\_
- MACE chair escalation required: Yes/No  
Details: \_\_\_\_\_ Outcome \_\_\_\_\_

Is there any intelligence that needs to be reported? [www.merseyside.police.uk](http://www.merseyside.police.uk)

## Appendix C

### PAN Merseyside Child Exploitation (CE2) – Multi Agency Assessment Tool

Young Person's Information					
Name		D.O.B		Age	
Address		Date of Assessment		Agency	
		National Referral Mechanism Referral		Lead Practitioner	

Nature of Criminal Exploitation							
County Lines (out of borough)		In borough drug dealing	Storing weapons / drugs for others	Performing sexual acts on others under coercion	Committing offences under coercion	At risk/ prevention of CCE	Other

Nature of Sexual Exploitation															
Online/Phone		Party		Boyfriend / Girlfriend		Adult/ Lone Offender		Group / Gang		On Street		Peer		Warning signs	

Identity									
Ethnicity		Nationality		Gender		Sexual Identity		Disability	

Current Living situation.											
At home		Living with other family member		Foster care		Children's Home		Semi / Independent Living		Homeless	

Lead Agency:															
No Lead		Early Help Plan				CIN		CP		LAC		Other LA		YOS	

Education Health Care Plan							
Diagnosed learning need		On pathway for assessment		Referral to pathway required		Details:	

**Date of meeting:**

**W  
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	Initial meeting	Review meeting	Final meeting
Police			
Social worker			
Early Help			
Youth Offending Service			
Education / College			
Residential Care Home / Foster Carer /Housing Provider			
Voluntary Services			
Health Services: GP/Mental Health/ Alcohol/Drug Services/Sexual Health			
Other Agencies			
Other Local Authority			

1. Episodes of missing from home/care/school		Multi-agency evidence
L	No missing episodes.	<b><i>Times missing? Where do they go? Why do they go? Is carer aware of missing episodes / whereabouts?</i></b>
L	Stays out late, no missing episodes.	
M	Occasionally goes missing, whether for short or prolonged episodes	
H	Frequent and short missing episodes	
H	Frequent and prolonged missing episodes	

2. School/College attendance		Multi-agency evidence
L	Engaged / re-engaged in education or training, or in work or actively seeking employment	<b><i>Any current or previous prosecution for school attendance? What services are involved with improving school attendance? What is there attendance? Any change in attendance? Any change in attitude to attending education?</i></b>
M	Is participating in education or employment but attendance is a concern. Carer engaging with services to improve attendance.	
H	Is on a reduced timetable, or is persistently absent from school, or sudden noticeable change in attendance, performance or behaviour at school. Carer's engagement with services to improve attendance but no evidence of improvement.	
H	Not attending school or is a NEET (not in education, employment or training). Is showing an interest in accessing opportunities. Career showing limited engagement with services.	
H	Not attending school or is a NEET. Shows no interest in accessing educational or training opportunities. No engagement from carer.	

3. Accommodation & Home Relationships		Multi-agency evidence
L	Satisfied with accommodation & meets young person's needs Positive relationships and good communication Age appropriate boundaries & routines set by carer & adhered to	<b><i>Any financial difficulties? Any known / suspected domestic abuse? Any recent deaths in the family?</i></b>
L	Generally satisfied with accommodation and meets most of young person's needs. Some mutual understanding and positive relationships. Age appropriate boundaries & routines set by carer but not always adhered to	
M	Frequent placement changes Poor or negative communication with young person not responding to boundaries, routines or consequences. Historic abuse / neglect in family	
H	Unstable or unsuitable accommodation. Sudden negative change in quality of relationship, poor communication, strained relationship. Carer starting to show signs of not having capacity to input & maintain boundaries / consequences and challenge and behaviour	
H	Homeless / unknown whereabouts Current / suspected abuse / neglect in the family. Poor communication, limited warmth, attachment or trust. Carer does not implement age appropriate boundaries or recognise negative behaviour. Does not have the capacity to respond	
4. Peer/Adult Association		Multi-agency evidence

L	Engaged in positive activities and has age appropriate and positive peers. Carer is aware of peer group	<b><i>What services is the young person known to? Who are peers / suspected peers? Age range of peers? Intelligence from Police?</i></b>
L	Young person started to disengage from positive activities. Some concerns. Surrounds self with age appropriate peer group and Carer is aware of peer group.	
M	Starting to associate with problematic peer group. Coming to the attention of services. Starting to engage with ASB. Not engaging in positive activities. History of bullying. Low self-esteem and difficulties socialising	
H	Is engaging in ASB and is known to services. Peers / Adults who are using substances or suspected to carry weapons. Attending parties that indicate possible exploitation. Peers / Adults who are known by criminal justice agencies or to have been sexually exploited. Spending more time with peers in the community. Secrecy around peers and have their peers been found out of borough	
H	Associating with known criminal / gun crime nominals or other sexually exploited children. Any affiliation to Organised Crime Groups. Young person is or is suspected to be involved in a gang/group	

<b>5. Misuse of Drugs or Alcohol</b>		<b>Multi-agency evidence</b>
L	No concerns	<b><i>Where do they use substances? How do they fund it? Who with? Type / class of substance? Concerns around peer influences?</i></b>
L	Some concerns about drugs or alcohol but deemed to be age appropriate	
M	Started to associate with negative peer influence where substance use is suspected	
H	Substance use known & part of daily life Not known how substances are financed	
H	Young person is dependent on alcohol / drugs Obtains drugs from older peers / family members	
H	Found in possession of class A substances/cannabis more than once Suspected of the movement & selling of drugs	

<b>6. Ability to identify exploitive behaviour</b>		<b>Multi-agency evidence</b>
L	Has a good understanding of exploitative behaviour and can use it to keep themselves safe	<b><i>Evidence of understanding and young person's ability to keep themselves safe, for example the completion of interventions.</i></b>
M	Some understanding of exploitative behaviour Able to somewhat apply knowledge to keep themselves safe	
H	Can recognise risks but unable to apply to themselves to keep safe	

H	No recognition of exploitative behaviour The young person's carer cannot identify or recognise the risk of exploitation. Unable to keep themselves safe
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7. Mental Health / Physical Health Concerns		Multi-agency evidence
L	No known physical, self-harm or mental health needs identified	<b><i>Evidence of self-harm and mental health? Services being offered?</i></b>
L	Some physical and mental health concerns and attending appointments	
L	Increased need to access health appointments Targeted health services support accessed and parent engaging	
M	Increased need to access health appointments Sporadically accessing support services – carer not fully engaged	
H	Diagnosed illness or mental health condition Regular hospital admissions/treatments Decline in physical and mental health wellbeing	

8. Sexual Health Activities and Awareness		Assessor reflections
L	No concerns re: sexual health	
L	Is sexually active and in an equal consensual relationship with a peer.	
M	Some sexual health concerns and engaging with sexual health services	
M	Is sexually active but is not engaging with any sexual health services.	
H	Sex is non-consensual. Young person feels pressured to have sex or to perform sexual acts in exchange for status/protection, possessions, or substances or affection. Young person has many sexual partners /many tests for STIs or pregnancy. Child is under the age of 13 and cannot consent	

9. Social Media (Internet and mobile usage)		Assessor reflections – What APPs/Social media sites are accessed?
L	No concerns around internet usage	<b><i>What apps used?</i></b>
M	Some understanding of online safety but not able to apply knowledge to keep themselves safe	
H	Young person receives texts / calls from unknown or concerning people. Young person has become more secretive about internet usage. In possession of a mobile phone which parent / carer have no or only limited knowledge of.	

H	Young person targeted online for exploitation	
H	Young person has been exploited online. Young person plans to meet face to face person they know online. Multiple phone/regular changing phones	

10. Ability to Safeguard – Carers/Family		Multi-agency evidence
L	Carer recognises risks and will report young person as missing. Has a good knowledge of exploitation and aware of child's social media activity and undertakes an active protective factor role in their child's life	<b><i>What are the parent / carers views? Please ensure their voice is heard What strengths and assets do the parents / carers and wider family have? Or, is there evidence of disguised compliance?</i></b>
L	Carer will mostly report young person as missing, Carer is engaging or asking for support from services to support them to protect their child from exploitation.	
M	Carer needs to be prompted to report young person as missing and/or has limited understanding of exploitation/ child's social media activity.	
H	Carer fails to report young person as missing and struggles to understand the risk around missing and exploitation. Sporadic or limited engagement with services and breakdown in relationship with child.	
H	Carer doesn't have knowledge of exploitation or child's social media activity. Carer fails to report young person as missing and to recognise the risk of missing episodes. Disengagement from services. Carer/Family is affiliated to exploitation Need additional level here re: parent has been groomed by perpetrator exploiting the child	

11. Substance Use, Physical & Mental Health and Criminality in Carers/Family		Multi-agency evidence
L	No concerns	<b><i>Where do they use substances? How do they fund it? Type / class of substance? What are the health concerns? Further details of criminality? How do these factors impact upon young person?</i></b>
L	Parent acknowledge concerns and are addressing the concerns	
M	Parents acknowledge concerns but refuse to seek treatment or support	
M	Parents do not acknowledge concerns and refuse to seek treatment or support	
H	Evidence suggests parental involvement in guns, gangs or drugs supply or historical/current exploitation of others	
H	Parent/Carer is involved in exploiting their child	



12. Young Person's engagement with appropriate services		Multi-agency evidence
L	Services have been able to engage the child and have regular contact	Ensure you state what engagement there has there been with the young person to inform what has been stated within this assessment?
M	Services have been able to sporadically engage the child, irregular contact	
H	Services cannot engage the child, no contact	

13. Further evidence of exploitation other than what has been previously provided on CE1 referral/ professional judgement:	
Young person having extra money or new items that cannot be legitimately be accounted for	Offences committed
Having multiple phones and sim cards	Evidence of inappropriate sexualised behaviour and language
People demanding money for drug debts	Affiliation with a group or gang
Family or young person has had to move or leave their home	Evidence that s/he is coerced to recruit other children
Items have gone missing from the home	Additional Police Intelligence
Young person may be carrying a weapon or hiding a weapon or connection with firearms	Injuries – Physical or Sexual
Sudden change in behaviour/appearance	Other things unusual for the child
Previous CE concerns	Associating / relationship with adults who encourage emotional dependence, loyalty and isolation from safe relationships
Multiple callers (unknown adults/older young people)	Reports of being taken to hotels, nightclubs or out of the area by unknown adults
Possession of hotel keys / cards or keys to unknown premises	Entering / leaving vehicles with unknown adults. Association with taxi firms/takeaway owners
Frequenting known locations that have concerns of CE	Knowledge of towns/cities they have no previous connection with
<b>Partnership Professional Judgement:</b>	

Professional decision on overall exploitation risk level	Tick relevant box
<b>Low</b> <i>At risk of being exploited. The risk of harm is possible.</i>	
<b>Medium</b> <i>Signs but no clear evidence that the child is currently being exploited. The risk of harm is likely.</i>	
<b>High</b> <i>Signs and clear evidence that the child is currently being exploited. The risk of harm is very likely</i>	

**Please tick which is the appropriate multi-agency assessment conclusion**

Concerns relate to behaviours associated with age appropriate child / young person behavior

☐ The child / young person is considered to be vulnerable to exploitation:

- Sexually
- Criminally
- Both

☐  
☐  
☐

There are clear indicators that would suggest that the child / young person is being exploited but this needs further exploration:

- Sexually
- Criminally
- Both

☐  
☐
☐

Evidence

that the child / young person is being exploited

- Sexually
- Criminally
- Both

☐  
☐  
☐

Child / young person who is being exploited is also believed to be involved in recruiting / exploiting other children / young people

- Sexually
- Criminally
- Both



**Child Exploitation Multi Agency Plan**  
*(A lead practitioner's plan can be completed instead of completing this plan)*

Name:

DOB:

Risk Level:

Date:

**What are the Risks identified from the Child Exploitation (2) Multi Agency Assessment?**

**1.**

**2.**

**3.**

**4.**

**5.**

*Add more if required*

<b>Actions to be taken on how to reduce the risk. <i>It is useful to think of what are the risks and then outline below what the response will be to reduce the risk. Focus on what the child's outcomes will be.</i></b>	<b><u>Person/ Service Responsible</u></b>	<b><u>Timescales</u></b>	<b><u>Completed Yes / No</u></b>
<b>Prepare (Profile)</b>			
<b>Prevent</b>			
<b>Protect</b>			
<b>Pursue (Prosecute)</b>			
<b>Other</b>			
<b>Due Date of Review (<i>minimum of 12 week timescale</i>)</b>	<b>Date Reviewed</b>		

**MACE decision on risk level and rationale**

Indicator	Initial Risk Level	Review Risk Level	Final Risk Level		Initial Risk Level	Review Risk Level	Final Risk Level
1. Episodes of missing from home/care/school				9. Social Media (internet & phone)			
2. School/College attendance				10. Ability to Safeguard			
3. Accommodation Home Relationships				11. Substance Use, Physical & Mental Health and Criminality in Carers/Family			
4 Peer Association				12. Young Person's engagement with appropriate services			
5. Misuse of Drugs or Alcohol							
6. Ability to identify exploitive behaviour							
7. Mental Health / Physical Health Concerns							
8. Sexual Health Activities and Awareness							
<b>Overall Exploitation Risk Level</b> <i>(tick relevant box)</i>							
<b>High</b>		<b>Medium</b>		<b>Low</b>			

Increased	Decreased	Stayed the same
<i>Please state the rationale for this judgement</i>	<i>Please state the rationale for this judgement</i>	<i>Please state the rationale for this judgement</i>

**If undertaking a review, please keep the previous multi-agency evidence information and put a new date next to the new evidence provided.**

## Appendix D

### **Language agencies should use to describe a child's behavior**

Language is an important part of how we identify and assess exploitation. Guidance on language agencies should use to describe a child's situation and behaviour:

<i>"He/she is drug running"</i>	The child is being trafficked for the purpose of criminal exploitation
<i>"Recruit/ run/ work"</i>	This implies there is a level of choice by the child regarding their exploitation and does not take into consideration the grooming, coercion, threats and violence. More appropriate description: The child is being criminally exploited.
<i>"He/she is choosing this lifestyle"</i>	This implies choice or control by the child. More appropriate description: The child is being exploited.
<i>"Putting themselves at risk"</i>	This implies choice or control by the child. More appropriate description: The child is being criminally exploited Child may have been groomed The child is at an increased vulnerability to being abused/exploited Location/ situation could increase a perpetrators opportunity to abuse a child The location is dangerous to children Concerns regarding other's influences on the child
<i>"Promiscuous"</i>	This puts the blame on the child and implies the child is in full control of what is happening. More appropriate description: The child is either being exploited or vulnerable to exploitation.
<i>"Involved in CSE or CCE"</i>	This implies choice or control by the child. More appropriate description: The child is being exploited.
<i>"Sexually active since (age under 13)"</i>	The child has/may have been sexually assaulted or raped. Concerns exist that the child may have been coerced, exploited or sexually abused
<i>"Streetwise"</i>	This implies the child is able to keep themselves safe and is fully able to manage situations that present risk.

'Child is being offered drugs in return for sex'	<p>Child is being sexually exploited.</p> <p>Concerns that the child has been raped. Perpetrators are sexually abusing the child.</p> <p>The child is being sexually abused.</p> <p>The child's vulnerability regarding drug use is being used by others to abuse them.</p> <p>The perpetrators have a hold over the child due to the fact that they are drug dependent.</p>
'Prostituting themselves'	<p>This completely misses that the child is being manipulated and controlled.</p> <p>Changes in legislation have meant that child prostitution is no longer an acceptable term and should never be used.</p>
'Boyfriend/Girlfriend'	<p>Children have been challenged in court with practitioner's recordings where their practitioner has referred to the perpetrator as the child's boyfriend/girlfriend.</p>
'Sexual activity with...'	<p>They have been sexually abused.</p> <p>They have been raped.</p> <p>Allegation of sexual abuse.</p> <p>Child has described sexual activity, however concerns exist that the child may have been groomed/coerced.</p>
'Spending time/associating with 'elders''	<p>The young person says that they are friends with a person and there are concerns about that person's age, the imbalance of power, exploitation, offending.</p> <p>The young person has been groomed, exploited, controlled.</p> <p>If the 'elder' is under the age of 18 years old- this will also need to be considered using child protection processes.</p>
'boyfriend/girlfriend'	<p>Children have been challenged in court with practitioner's recordings where their practitioner has referred to the perpetrator as the child's boyfriend/girlfriend.</p> <p>Other words: Abuser Exploiter Perpetrator</p>

## Appendix E

### Links to Local Safeguarding Processes

CE Concerns should be forwarded to Children's Social Care using the Multi Agency Referral Form used by the local authority area.

Links to each local authority area's safeguarding procedures and referral forms are detailed below:

Liverpool

[http://www.liverpoolscb.org/reporting\\_concerns.html](http://www.liverpoolscb.org/reporting_concerns.html)

Sefton

<http://www.seftonlscb.co.uk/worried-about-a-child.aspx>

Knowsley

[http://lmbcdev.co.uk/kscb/?page\\_id=87](http://lmbcdev.co.uk/kscb/?page_id=87)

St Helens

<http://sthelenslscb.org.uk/if-you-have-any-concerns/>

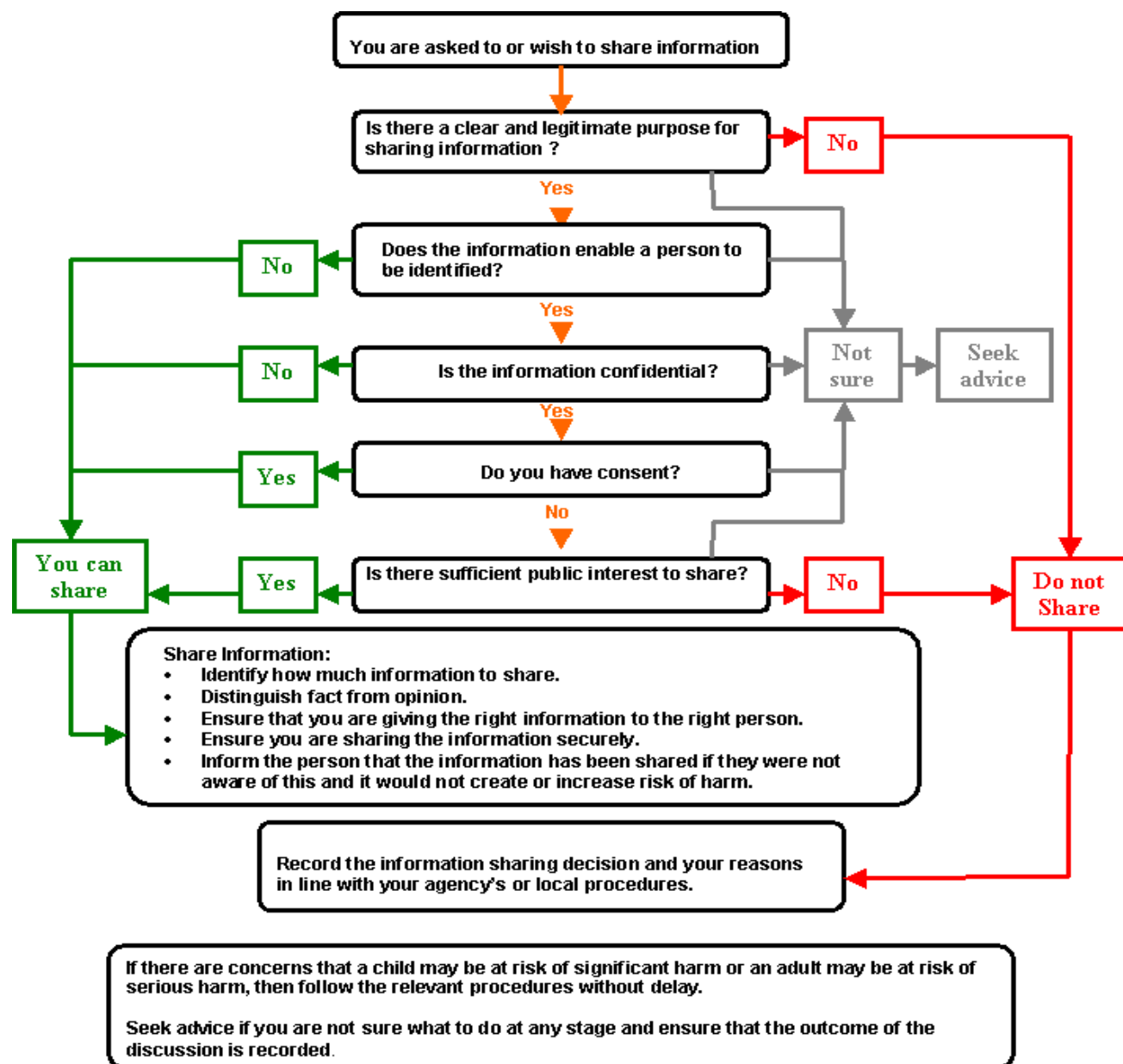
Wirral

<http://www.wirral.gov.uk/my-services/children-service/local-safeguarding-childrens-board/information-professionals/worried-about-child>

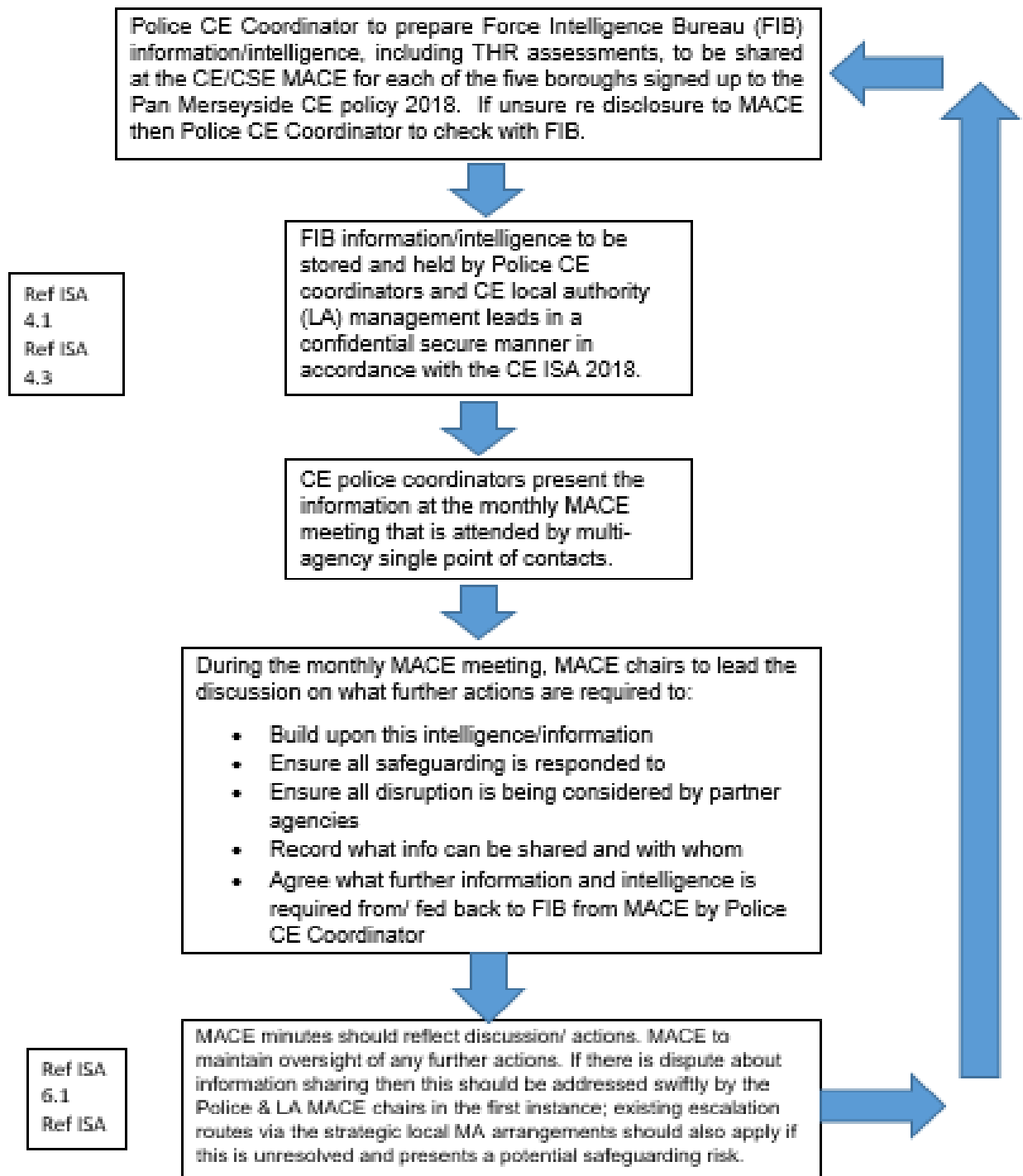
**Please see each LSCB website for local Child Exploitation Protocols and operational pathways.**



## Flowchart of key questions for information sharing



## Pathway: CE Intelligence/Information Sharing via MACE Process



This process is in accordance with the information sharing agreement (ISA) contained in the Pan Merseyside CE Policy 2018 relevant sections of the ISA are referenced above. It is the readers responsibility to ensure that they are familiar with the Pan Merseyside ISA.

## Appendix G

Parties acknowledge the imminent change in legislation by the introduction of General Data Protection Regulations (GDPR) and the Data Protection Act on the 25/05/2018 and will work together to update this Information Sharing Agreement to become compliant with the new legislation

### INFORMATION SHARING AGREEMENT

#### INTRODUCTION

- 1.1** The aim of this Agreement is to define the specific purposes for which Merseyside Police and Partners have agreed to share information; namely to increase the safety, health and wellbeing of victims of/ or at risk of Child Exploitation (CE), for the prevention and detection of crime and maintenance of community safety.
- It is envisaged that relevant information will be shared regarding referrals involving both adults and children where vulnerability is identified. Long established methods of sharing information between agencies has been key to identifying thresholds and suitable referral pathways.
- 1.2** This Agreement sets out the legal provisions relating to personal data sharing and takes account of the relevant Codes of Practice in respect of the sharing of personal data held by the Merseyside Police (MOPI Guidance, the ACPO Data Protection Manual of Guidance and ICO Data Sharing Code of Practice).
- 1.3** This Agreement contains details of the standards agreed by the Parties involved in the sharing of personal data and personally identifiable information so as to maintain confidentiality, integrity and compliance with the data protection principles, whilst ensuring that information is shared with those who 'need to know'.
- 1.4** Requests for information will be considered on a case by case basis in light of this Agreement and the relevant legal parameters identified concerning the sharing of personal data. The MASH enables co-located professionals to make this expedited judgment together and record the decision to share the information, along with the rationale.
- 1.5** Information shared under this Agreement must not be disclosed to any persons who are not Parties to it (including other business area within the same organisation) without prior consent of the information provider(s), or if there is any risk that the requirements of this Agreement might be breached.

#### PURPOSE OF THIS AGREEMENT

- 2.1** The purpose of this Agreement is to establish the procedures for the lawful, secure and effective exchange of information between the parties, in order to enable the parties to share relevant information in a comprehensive, transparent and consensual manner in the interests of safeguarding children and to work towards the maintenance of community safety and the prevention and detection of crime and disorder.
- 2.2** This section states that the purpose for parties to share information is:
- To increase the safety, health and wellbeing of victims of/ or at risk of criminal exploitation;
  - Better informed decision making and partnership working to identify and manage risk of serious harm;
  - Keeping victims safe, promoting safer communities;

- Prevention and detection of crime and disorder;
- Identify and target offenders;
- Determine if the perpetrator poses a significant risk to any particular individual or to the general community;
- Jointly construct and implement a risk management plan that provides professional support to all those at risk and reduces the risk of harm;
- To identify thresholds and suitable pathways;
- To enable agreement on appropriate intervention.

The Children's Act 2004 emphasises the importance of safeguarding children by stating that relevant partner agencies must make sure that functions are discharged having regard to the need to safeguard and promote the welfare of children. The Act also states that they must make arrangements to promote co-operation between relevant partner agencies to improve the wellbeing of children in their area.

Wellbeing is defined as relating to a child's:

- Physical and mental health and emotional, wellbeing (be healthy)
- Protection from harm and neglect (stay safe)
- Education, training and recreation (enjoy and achieve)
- The contribution made by them to society (make a positive contribution)
- Social and economic wellbeing (achieve economic wellbeing)

For the purpose of this Information Sharing Agreement the term child means anyone under the age of 18.

Accordingly, relevant partner agencies are also expected to comply with the requirements of Working Together 2015 and the associated Information Sharing guidance for practitioners and managers.

## **LEGAL CONSIDERATIONS FOR SHARING**

- 3.1** The sharing of information must have due consideration with the law relating to confidentiality, data protection and human rights. Cognisance should be given to whether it is reasonable to gain full consent of the Data Subject.
- 3.2** When the consent of a Data Subject is refused or it is not reasonable to seek consent, legal powers must be identified on a case by case basis.
- 3.3** There will be consideration of the implications of Article 8 of the European Convention on Human Rights, which provides an individual right to respect for private and family life, home and correspondence. This is a qualified right and where no consent has been obtained, it will be necessary to ensure that the data sharing is in accordance with the law and necessary in a democratic society in the interests of national security, public safety, prevention of crime and disorder. The information to be exchanged must be proportionate for the needs of this Agreement.
- 3.4** The power for Merseyside Police to share information is founded on the common Law for policing purposes. The Code of Practice on the Management of Police Information (MoPI) defines the policing purposes as:
  - Protection of life and property;
  - Preserving order;
  - Preventing the commissioning of offences;
  - Bringing offenders to Justice;
  - Any duty or responsibility arising from common or statute law.

- 3.5** The Data Protection Act 1998 applies if the information is personal data relating to a living individual and held on a computer or as part of a 'relevant filing system' in hard copy material (see glossary). To process information, the Data Controller must ensure compliance with the principles of the Data Protection Act. Specific consideration must be given as to whether the information will be processed fairly and lawfully and for the specified purpose for which it is held.
- 3.6** The joint legal considerations for sharing of information in a MASH.

### **First Principle**

The first data protection principle states that data must be processed lawfully and fairly and in accordance with a condition in schedule 2 for personal data and a condition in both schedules 2 and 3 in respect of sensitive personal data of the Data Protection Act 1998.

A public authority must only share personal data when there is an identified legal power to do so. If the information to be shared falls into the statutory threshold of section 17 of section 47 of the Children's Act 1989 then this will provide the legal gateway for the sharing of the information (because of the provisions in section 35 DPA).

Sections 10 and 11 of the Children's Act 2004 places new obligations upon the Police, Local Authorities and Primary Care Trusts to cooperate with other relevant partners in promoting the welfare of children and also ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children. This piece of legislation gives the statutory power to share information for the purposes of this Agreement.

Although section 29 of the Data Protection Act 1998 does give a power to disclose information, it does not provide a legal obligation to do so. It does state that if not disclosing information would prejudice the prevention/detection of crime and/or the apprehension/prosecution of offenders, personal data can be disclosed. Under this agreement, if not disclosing information to the MASH would prejudice the reasons listed above, organisations are exempt from the usual non-disclosure provisions and may share the information requested. This will be decided on a case by case basis.

The conditions for disclosure that are relevant to this document are in Schedules 2 and 3 of the Data Protection Act 1998 and include conditions 3 (legal obligation) and 5 (administration of justice) of Schedule 2, as well as condition 4 (vital interests of the data subject). Schedule 3 conditions 6 and 7 are also relevant to the processing of sensitive personal information and its disclosure.

The Data Protection Act permits the sharing of personal

information when it is: In the vital interest of the data subject, or

in the public interest.

### **Duty of Confidence**

Data subjects will have a legitimate expectation that the Police will act appropriately with regards to the sharing of their information for the purposes of preventing harm to or promoting the welfare of vulnerable people. When applying proportionality and necessity to the decision to share this information with partner agencies, the protection of children and/or other vulnerable people would usually fulfil a public interest test as long as that disclosed is relevant and proportionate.

Information held by other agencies that will be shared in the MASH may have been gathered where a duty of confidence is owed. Duty of confidence is not an absolute bar to disclosure, as information can be shared where consent has been provided or where there is a strong enough public interest test to do so, or the law allows such sharing.

Obtaining consent remains a matter of good practice and in circumstances where it is appropriate and possible, explicit consent should be sought and freely given by the data subject.

However, in many cases the aims of the MASH might be prejudiced if agencies were to seek consent. In such cases the disclosing agency must consider possible grounds to override the consent issue. It is possible to disclose personal information without consent if this is in the defined category of public interest.

The public interest criteria include:

- The administration of justice;
- Maintaining public safety;
- The apprehension of offenders;
- The prevention of crime and disorder;
- The detection of crime;
- The protection of vulnerable members of the community.

When judging the public interest, it is necessary to consider the following:

- Is the intended disclosure proportionate to the intended aim?
- What is the vulnerability of those who are at risk?
- What is the impact of disclosure likely to be on the individual?
- Is there another quality effective means of achieving the same aim?
- Is the disclosure necessary to prevent or detect crime and uphold rights and freedoms of the public?
- Is it necessary to disclose the information, to protect other vulnerable people?

The rule of proportionality should be applied to ensure that a fair balance is achieved between the public interest and the rights of the data subject.

All disclosures must be relevant and proportionate to the intended aim of the disclosure.

### **Fair Processing**

It is a requirement of the Data Protection Act 1998 that all organisations that process personal data should have a fair processing notice, which will inform individuals about how their personal data will be used by that organisation. This notice will cover;

- The identity of the data controller.
- The identity of the representative.
- If the data controller has nominated a representative for the purposes of the Act - the identity of that representative.

The purpose or purposes for which the data are intended to be processed.

Any further information which is necessary, taking into account the specific circumstances in which the data are or, are to be processed, to enable processing in respect of the data subject to be fair.

A notice explaining the concept of MASH and how it works in Merseyside will be made available on relevant agency websites.

Section 29 of the Data Protection Act 1998 allows agencies to share information if, complying with the fair processing conditions, would be likely to prejudice the purposes of the prevention of detection of crime and/or the apprehension and prosecution of offenders. If staff or signatory agencies receive information which they believe that, by not disclosing the information, the Police will be unable to prevent or detect crime or the Police will be unable to apprehend or prosecute an offender, then they may fairly share that information with the Police.

### **Legitimate Expectation**

The sharing of relevant information by the Police fulfils a policing purpose, in that it will be done in order to protect life in some circumstances and in other it will fulfil a duty upon the Police provided by statute law (Children's Act 2004) i.e. cooperation to improve the well-being of children.

It can reasonable be assumed that the persons from whom information is obtained will legitimately expect that the Police will share it appropriately with any person or agency that will assist in fulfilling the policing purposes mentioned above.

In cases where legitimate consent can be obtained this will be done. Individuals will have a legitimate expectation of how their data is going to be used and with whom it will be shared and why.

The Information Sharing Agreement will be published as part of a Public Authorities Publication Scheme, in line with the Freedom of Information Act 2000, which provides opportunity for members of the public to understand how personal information may be used within the MASH.

Human Rights Act – Article 8: The Right to Respect for Private and Family Life, Home and Correspondence. There shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic wellbeing of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

The sharing of information with Children's Services may be in contravention of Article 8, however the benefits of effective sharing of information for the purposes of this Agreement are to the direct benefit of the citizen and, therefore, are in the public interest. This Agreement is:

#### **In pursuit of a legitimate aim**

The promotion of the welfare and wellbeing of children and ensuring that they achieve all five outcomes is, by virtue of Section 11 of the Children Act 2004, a legitimate aim and is the major responsibility of the signatories to this Agreement. The Sharing of Information under this Agreement is also in line with Articles 2 and 3 of the Human Rights Act 1988, namely the Right to Life and the Right to Prohibition of Torture or Inhumane or Degrading Treatment.

#### **Proportionate**

The amount and type of information shared will only be the minimum necessary to achieve the aim of this Agreement. Information is always to be considered in terms of its proportionality in each set of circumstances, but it must always be remembered that the right to life is paramount.

An activity appropriate and necessary in a democratic society.

The Police are obliged to do all that is reasonable to ensure the welfare of the most vulnerable people and this is something that is necessary and appropriate in a democratic society. Other signatories to this Agreement, such as Health and Children's Services also have similar obligations, which are necessary and appropriate in a democratic society.

#### **Schedule 2, Data Protection Act 1998**

In addition to the legal criteria set out above, the Information Sharing Agreement must satisfy at least one condition in Schedule 2 of the Data Protection Act in relation to personal data.

Schedule 2 is satisfied in the case of this Agreement by Condition 5 (b) (The exercise of functions conferred under the statute) as there is an implied gateway available for the Sharing of Information in these circumstances under Section 11 Children Act 2004, which obliges the relevant agencies to ensure that their functions are discharged having regard to the need to safeguard and promote the welfare of children.

Where the consent of the individual is received, Condition 1 (data subject has given consent to the processing of their data) will apply.

#### **Schedule 3, Data Protection Act 1998**

If the information is sensitive (that is where it relates to race, ethnic origin, political opinions, religion or belief system, membership of a Trade Union, physical/mental health or sexual life, the

commission or alleged commission of any offence, proceedings related to the offence) you must satisfy at least one condition in Schedule 3.

Schedule 3 is satisfied in the case of this Agreement by Condition 7; the processing is necessary for the exercise of any functions conferred on any person by, or under, an enactment (i.e. Children's Act 2004).

Where the consent of the individual is received, Condition 1 (data subject has given explicit consent to the processing of their data) will apply.

- 3.7** For the purpose of this Agreement, the parties will be Data Controllers in their own right, as defined under the Data Protection Act 1998 and will be required to comply with the provisions of the Act. Accordingly, it is the responsibility of each party to ensure that they have appropriate agreements in place with regard to the processing of information that is personal data on their behalf.
- 3.8** In addition, under the Data Protection Act, Data Subjects have a right of access to records that are held about them. Further details are set out at Section 8.
- 3.9** The parties will take account of the Common Law Duty of Confidence in respect of identifiable information.
- 3.10** The Common Law Duty of Confidentiality requires, that unless there is a statutory provision to use information that has been provided in confidence, it should only be used for that purpose(s) for which the subject has been informed and has consented.
- 3.11** The Common Law duty is not absolute and can be over ruled if the disclosure is in the public interest (e.g. to protect others from harm). The information to be shared within the context of this Agreement will contain information that has been received in confidence by any of the parties to this Agreement.

Most information given to the Police will carry with it a legitimate expectation by the provider of the information that it will be used in the detection or prevention of crime or for other legitimate policing purposes. Therefore, the decision whether or not to share information will be on a case by case basis.

The MASH will enable co-located professionals to make this expedited judgment and record the decision to share along with the rationale.

### **3.12 Caldicott Guardian**

As a result of the 1997 report of the review of Patient Identifiable Information chaired by Dame Fiona Caldicott (the Caldicott report), each NHS organisation has appointed a guardian of person based clinical information to oversee the arrangements for the use and sharing of clinical information. Subsequently, the requirement to appoint Caldicott guardians was extended into Councils with social care responsibilities.

A key recommendation of the Caldicott committee was that every use or flow of patient identifiable information should be regularly justified and routinely tested against the principles developed in the Caldicott Report.

Principle 1 – Justify the purpose for using confidential information. Principle 2 – Only use it when absolutely necessary.

Principle 3 – Use the minimum that is required.

Principle 4 – Access should be on a strict 'need to know' basis. Principle 5 – Everyone must understand his or her responsibilities. Principle 6 – Understand and comply with the law.

**The MASH will operate within Caldicott guidelines.**



## **RESTRICTIONS ON USE OF INFORMATION**

- 4.1** Information must be treated as private and confidential and will not be divulged or communicated to any third parties (including other business areas within the same organisation) without prior consent of the information provider, provided this shall not restrict usage that is necessary for the purposes set out in Paragraph 3.4.

Decisions about who needs to know and what needs to be known will be made on a case by case basis and should, in every case, be within the constraints of the legal framework shown in Paragraph 3.6.

Decisions made in respect of Child Exploitation (CE) cases, actions and associated rationale should be recorded on the CE2.

Staff co-located within the MASH should ensure that spontaneous decisions made within the confines of the hub are documented adequately so as to satisfy the regulations herein and in a manner that enable them to be created, stored, managed, audited and destroyed accordingly.

- 4.2** Information will not be matched with any other personal data otherwise obtained from the disclosing party or any other sources, apart from the purpose specified on the Request for Personal Data made to parties to this Agreement, unless specifically authorised in writing by the disclosing party.

- 4.3** Access to the information will be restricted to authorised employees of partner agencies to this Agreement as approved by Merseyside Police.

Each participating agency is responsible for ensuring that reasonable efforts have been made to establish the trustworthiness and integrity of the individuals who process personal and other sensitive information covered by the terms of this protocol.

These individuals must be aware of the requirement for them to process personal and other sensitive information securely, in compliance with the relative legislation and, only for the purposes prescribed by this document.

## **WORKING PROCEDURES**

- 5.1** All personal data remains the property of the disclosing agency and is the responsibility of the Data Controller. Each of the participating agencies will have a Data Controller. This will be a senior officer who will ensure that received data is processed only for the purposes for which it was received.

Each partner must appoint a Single Point of Contact (SPOC). The SPOC will be responsible for administering this Agreement.

If the SPOC is unavailable then the duties can be delegated to a suitably trained person. In order that information flows expeditiously and remains under control, parties co-located within a MASH will be more readily able to manage the process.

- 5.2** All parties may, by agreement in writing, change their identified SPOC(s).
- 5.3** Employees of the parties will be responsible for processing information in compliance with this Agreement.
- 5.4** The named employees of partner agencies will ensure that any requests for information are made in writing using an agreed format.
- 5.5** All parties will maintain an auditable a record of all information sharing.
- 5.6** Signatories the Agreement must review and weed data as per Paragraph 8.3

- 5.7** In certain circumstances, it may be necessary to seek information urgently and, in such cases, the information may be sought and disclosed verbally. Where this is the case, each party must keep a record of the request and the response by the completion (in retrospect) of the usual forms.
- 5.8** The data disclosed must be treated as private and confidential and will not be divulged or communicated to any third parties (including other business areas within the same organisation) without prior consent of the information provider.
- 5.9** Any issues arising in respect of the procedures referred to within this Agreement should be referred to the relevant signatories.

## **DATA**

**6.1** Examples of data that may be shared include:

- Name of subject and other family members, their carers and other persons whose presence and/or relationship with the subject is relevant to identifying and assessing the risk to that person;
- Age/date of birth of the subject and other family members, carers or other significant person;
- Ethnic origin of the subject and other family members, carers or other significant person;
- Relevant Police information and intelligence;
- Relevant school and educational information of the subject and other family members, carers or other significant person;
- GP and health records (to include family members where appropriate and relevant);
- Relevant ASB data;
- Relevant data from North West Ambulance Service and Merseyside Fire and Rescue Service, where appropriate;
- Relevant housing and other partnership data relevant to the subject;
- Relevant information about offenders known to the Probation/YOS services;
- MARAC information, where appropriate;
- MACE meeting information and referrals.

Not all of the above information will be shared in every case. Only relevant information will be shared on a case by case basis where an organisation has a need to know about the information.

**6.2** The parties agree to apply appropriate security measures in accordance with Principle 7 of the Data Protection Act 1998, which states that “appropriate technical and organisation measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction or damage to personal data”.

**6.3** If any party to this Agreement becomes aware of a security breach or breach of confidence in relation to the data covered by this Agreement or breach of Terms of the Agreement, the party with responsibility for the area of activity in which the breach occurred shall:

- Report the breach immediately to Merseyside Police Information Governance Manager;
- Report it to the relevant parties immediately;
- Immediately investigate the cause, effect and extent of the breach;
- Report the results of the investigation to the other parties without delay;
- Use all reasonable efforts to rectify the cause of such breach.

Any disclosure of information by an employee which is deemed to have been undertaken for illegal or otherwise unscrupulous purposes (for instance, actions undertaken in bad faith or for motives of personal gain) will be subject of an investigation and be treated as a serious matter.

Each party will be accountable for any misuse of the information supplied to it and the consequences of such misuse by its employees, servants or agents.

**6.4** In order to protect the integrity and confidentiality of the information that is held, it is the responsibility of all agencies that are signatories to this Information Sharing Agreement to ensure

that there are adequate security arrangements in place.

- 6.5** Agencies who are signatories to this Information Sharing Agreement, agree that: Each agency is responsible for the safe and confidential storage of case information; Access to agency computer databases is restricted to authorised personnel only; When leaving computers for short periods, users must activate secure screen locks or log off from the password protected application or account that contains personal or sensitive information. When leaving computers for longer periods or when leaving the premises, users must close down their computer accounts;

Access to the information must be restricted to users who have the authority to see such information and for the agreed purpose.

- 6.6** Confidential information or intelligence that is deemed necessary to share with partner agencies must be handled by management level in the partner agencies.

- 6.7** The parties are required to handle all data received in accordance with the protective marking shown. If no marking is shown the data should be handled in accordance with at least **RESTRICTED GPMS** marking. This includes ensuring that all data exchanged as a function of this Agreement is stored securely, is only accessible to authorised persons, is not altered, lost or destroyed, is retrieved and transmitted only by properly authorised persons and that the information remains accessible by the organisation for business continuity purposes.

- 6.8** Where data is shared by e-mail the parties agree to set up a secure e-mail account within the Criminal Justice Extranet. Recognised secure sites:

pnn.polic.uk  
gsi.gov.uk  
gsx.gov.uk  
gss.net.uk  
cjsm.net  
nhs.net

- 6.9** Merseyside Police reserve the right to conduct a Site Security Assessment to establish that an appropriate level of security is provided by the partner agency at a time and date convenient to both parties prior to the commencement of the sharing. If recommendations are made by Merseyside Police these should be implemented by the partner agency prior to the commencement of the sharing.

- 6.10** During the term of this Agreement, the Chief Constable reserves the right to undertake a review of security provided by any party and may request reasonable access during normal working hours to the other party's premises for this purpose. Failure to provide sufficient guarantees in respect of adequate security measures will result in the termination of this Agreement. Relevant personnel as delegated by Merseyside Police shall undertake these checks.

- 6.11** The Chief Constable may wish to undertake reliability and suitability checks on any persons having access to the Data and further reserves the right to issue instructions that particular individuals shall not be able to participate in the processing of the Data without reasons being given for this decision. Upon request, all persons having access to personal data as part of this Agreement will be required to give consent to background enquiries in accordance with Merseyside Police Vetting Policy.

- 6.12** The partner agency agrees to comply with all reasonable requirements concerning the storage, access or use of any Data as may from time to time be made by the Information Governance Manager

- 6.13** Upon request the Partner Agency will provide the Information Governance Manager with a copy of its documentation describing its security policies and procedures and working practices prior to commencement of this Agreement. Where the standards set out in this Agreement differ from those set out in the documentation those affording greater security should be adhered to.

- 6.14** The partner agency undertakes not to use the services of any sub-contractors in connection with the processing of the Data without the prior written approval of the Information Governance Manager. Furthermore any access to the premises used to process the Data by maintenance or repair contractors, cleaners or other non-authorised persons must be closely supervised to ensure that there is no access to the Data.
- 6.15** Any information security breaches, including threats, weaknesses, and incidents of unlawful processing, accidental loss, destruction or damage to data where Merseyside Police is identified as being the data owner or a relevant partner must be reported immediately to the Anti-Corruption Unit using the Information Security Breach report.
- 6.16** The partners recognise that additional powers to serve assessment notices on public authorities have been granted to the information Commissioner. These powers allow access to premises, records and staff etc. to inspect security and compliance with the Data Protection principles. New powers also allow the Information Commissioner to levy fines up to £500,000 for any breaches.
- 6.17** If there are any doubts about the security of the information being shared the force Information Governance Manager must be consulted.

## **INDIVIDUAL RIGHTS TO ACCESS INFORMATION EXCHANGED**

- 7.1** The receipt from a Data Subject of a request to access information that includes information provided by Merseyside Police must be reported to the Merseyside Police Disclosure Manager (Information Bureau) within five working days and in any event prior to any response to the applicant.
- 7.2** Any request for information under the provisions of the Freedom of Information Act 2000 (FOI) or the Environmental Information Regulations 2004 (EIR) should be referred to the Merseyside Police FOI Team (Information Bureau) by way of consultation as soon as any signatory to the Agreement becomes aware that the scope of the request includes a request for information provided by Merseyside Police. However, the recipient of the request remains responsible for the FOI response to be provided, unless the FOI request is formally transferred.

## **REVIEW, RETENTION AND DISPOSAL**

- 8.1** This Agreement will be reviewed initially after six months from signing and annually thereafter to ensure that it is valid, relevant and up to date.
- 8.2** Any proposed amendments to the Agreement must be notified to the Merseyside signatory and must be agreed in writing by the parties. All amendments and revised Agreements must be forward to the Information Governance Manager, Merseyside Police.
- 8.3** Information must not be retained for longer than is necessary for the purpose for which it has been disclosed. Records of information shared will be retained for an initial period of six years (as recommended by MOPI). They must then be reviewed to establish any continuing necessity to retain them.
- 8.4** Information will be disposed of securely in line with each party's respective record management procedures. If electronic information is to be deleted, specific software must be employed to ensure its total erasure.

## **AUDIT**

- 9.1** The parties will maintain a complete record of all the data requested by and supplied to other parties. This must include;
- Information shared and for what purpose;
  - who it was shared with;
  - when it was shared;
  - justification for sharing;

- reasoning/rationale for not sharing.

**9.2** In order to assess compliance with the Data Protection Act 1988, parties acknowledge that Merseyside Police reserves the right to audit all processing of the data supplied by them under the terms of this Agreement. Upon reasonable notice in writing, the parties agree to allow access to their premises for this purpose.

**9.3** The requirement for such an audit will be determined by an assessment of the particular risks to Merseyside Police posed by the processing of data under this Agreement.

## **COMPLAINTS**

**10.1** Parties will give all reasonable assistance, as is necessary, to the relevant Data Controller to enable him to:

- Respond to the Information Notices served by the Information Commissioner.
- Investigate any breach of the Agreement.

**10.2** If a complaint is received by a third party relating to use of information that is personal data and the complaint is the Data Subject and it relates to a breach of the Agreement, the complaint should be referred to the signatory of the party whose action is the subject of the complaint and that signatory will take appropriate action.

## **TERMINATION OF THE AGREEMENT**

**11.1** Any party may at any time, in writing, terminate this Agreement if any party is in material breach of any obligation under this Agreement or if either party believes that after reviewing the operation of the Agreement it should be ended or replaced by a new Agreement.

**11.2** If an Agreement is terminated in respect of a material breach of it then the terminating party will provide a written notice of one week. Otherwise, one calendar months' notice of termination will be required. During the period of such notice, information sharing will not take place with the withdrawing party.

**11.3** The obligations of or confidentiality imposed on the parties by this Agreement shall continue in full force and effect after termination of this Agreement.

## **INDEMNITY AND SIGNATURES**

**12.1** Each agency will keep the other agencies indemnified against any and all costs, expenses, claims and liabilities arising out of any breach of this Agreement and, in particular, but without limitation, the unauthorised or unlawful access, loss, theft, use, destruction or disclosure by the offending agency or its employees, agents or any other person with control of the offending agency of any data obtained in connection with this Agreement.

## Appendix H MACE CONFIDENTIAL STATEMENT SIGNING IN SHEET

### Confidential Statement

Matters discussed at the MACE meeting are confidential. Any notes taken are strictly confidential and shall not be shared outside of the MACE meeting. Similarly, copies of these minutes shall not be photocopied or shared without express consent of the agencies represented. All agencies shall ensure that the minutes are retained in a secure location and destroyed no longer relevant or required. Agencies are reminded of the requirements of the information sharing protocol for the partnership and shall adhere to its terms and conditions in relation to all information shared in this meeting.

Date of meeting:

Chair of meeting:

Venue of meeting:

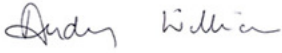
Name	Role at meeting	Agency	Secure email address	Phone number

## Appendix I

### Signatories to the Protocol

Each of the 5 Safeguarding Partnerships across Merseyside (Liverpool, Knowsley, Sefton, St Helens and Wirral) have approved this Protocol.

This Protocol has been signed on behalf of the 5 Safeguarding Partnerships Chairs and the Chief Constable of Merseyside Police.

Liverpool Safeguarding Children's Partnership  Title: Chair Signature	    Date
Wirral Safeguarding Children's Partnership  Title: David Robbins, Chair WSCP	    Date
St Helens Safeguarding Children's Partnership  Title: Janet Higgins, Chair StHLSCP	    Date
Knowsley Safeguarding Children's Partnership   Title: Audrey Williams, Chair KSCP	    Date
Sefton Safeguarding Children's Partnership  Title: Chair SLSCP	    Date
Merseyside Police Assistant Chief Constable  Signature	    Date

This Protocol will be reviewed 6 months after initial implementation.