

Information Sharing with Police

S.50A SVGA 2006

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Purpose 1: Prevention, detection and investigation of crime

Purpose 2: Apprehension and prosecution of offenders

Protocol

This is an existing two-way (proactively and on application) information flow – approach is business as usual.

When Police hold the barred lists (planned for December 2012), Police will check the barred lists and confirm ID with DBS. DBS to provide reasons for bar / relevant information proactively or on request by Police for non-autobar cases on case by case basis.

The business as usual provision of information on a proactive basis by ISA / DBS will not routinely include that relating to a person who is barred based on non criminality information. If ISA / DBS has information that a crime may have been committed etc (purpose 1 or 2) and we think that the Police do not have the information we may proactively provide that information to the Police subject to any relevant DPA considerations. This information will be provided as appropriate – on referral – during decision making – when a decision to bar or not has been made.

Action

- No further action required – business as usual.

Purpose 3: Appointment of persons under the direction and control of the chief officer

Protocol

The provision of information for purpose 3 will be limited to Police officers and staff directly employed by a Police force (as directed by John O'Brien, Home Office).

When Police hold the barred lists, Police will check the barred lists and confirm ID with DBS. DBS to provide reasons for bar / relevant information on request by Police for non-autobar cases, on case by case basis.

Prior to Police holding the barred lists, the volume of requests from Police for barred status (must provide) and reasons for the bar / other information (may provide) will be on a manageable basis during the establishment of the Disclosure and Barring Service.

Police will be able to check any information provided previously by ISA /DBS which will be held locally. Information provided by ISA / DBS for this purpose will be subject to any relevant DPA considerations.

Action

- ISA Operations to agree commencement date with Police.

Purpose 4: Criminal records disclosure

Protocol for information sharing under purpose 4

Information flow for this purpose to be linked to an enhanced disclosure application by a barred person when Update Service commences in 2013 subject to additional technical solution and agreement with Police.

In the interim, ISA/DBS to proactively advise Police of reasons for the bar for a person barred on discretionary (non-autobar) basis with no Police involvement in case and not previously provided for above purposes, subject to any relevant DPA considerations.

Proactive provision of information to Police for disclosure purposes may if appropriate include relevant information from cases where ISA / DBS don't bar and the Police don't have the information and the information has not been provided under any of the above purposes. However, it would be expected that any such cases may be rare and that relevant information would possibly have been shared for purposes 1 and 2 (above).

Action

- ISA / DBS to liaise with Police to identify cases or information that may be relevant for ISA / DBS to provide proactively for this purpose that would not be proactively provided for purposes 1 or 2.
- ISA / DBS to liaise with Police in relation to provision of information in relation to the commencement of the Update Service.
- Technical solution to be sought by ISA / DBS with IT provider for information flows in relation to the Update Service.
- ISA Operations to agree commencement date with Police.

Note: The provision of information from ISA / DBS to Police will refer to information provided for purposes pursuant to section 50A (1) of the Safeguarding Vulnerable Groups Act 2006.