

ISA 000

**LOCAL
INFORMATION SHARING AGREEMENT (ISA)**

BETWEEN

Cleveland Police

AND

Police and Crime Commissioner for Cleveland

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SUMMARY SHEET

ISA Ref:	000	National ISA Ref	000
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PURPOSE	<p>The purpose of this ISA is to enable delivery of a Model 3 complaints function within the Office of Police and Crime Commissioner for Cleveland. The service will assist members of the public who wish to submit an expression of dissatisfaction against Cleveland Police. It will provide the following elements:</p> <ul style="list-style-type: none"> • receiving and making initial contact with complainants; • handling complaints outside of Schedule 3 and recording complaints; • keeping complainants updated and informed of outcomes; and, • undertaking statutory reviews, as Appropriate Authority, of the handling and outcome of complaint investigations that have been finalised by Cleveland Police.
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PARTNERS	<ol style="list-style-type: none"> 1. Cleveland Police 2. Police and Crime Commissioner for Cleveland
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Date Agreement established:	October 2021
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Date of Agreement Review:	Six months after establishment, then annually
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Agreement Owner:	Office of Police and Crime Commissioner for Cleveland
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Agreement drawn up by:	██████████
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National Policing Lead	
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Version No.	Date	Amendments Made	Authorisation
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Appendix

1.0	September 2021	ISA for new service	██████████

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1. INTRODUCTION

- 1.1 This agreement has been developed to facilitate partnership working between Cleveland Police and the Office of Police and Crime Commissioner for Cleveland (OPCC). This agreement identifies the legal powers and methods of sharing information in order to achieve common goals for the benefit of this area.
- 1.2 Cleveland Police and the Office of Police and Crime Commissioner for Cleveland are committed to partnership working, and continually look for opportunities to work more closely with local identified partners to detect, prevent and reduce crime.
- 1.3 In adopting this partnership approach it is important that the policies/practices of the agencies involved compliment each other to ensure that any action taken is appropriate, necessary, proportionate and consistently applied.
- 1.4 This agreement outlines the need for the police and the agency involved to work together to alleviate crime in the area and provides a framework for action

2. PARTNER(S)

- 2.1 This agreement is between the following partners:

Cleveland Police

c/o St Marks House, St Marks Court, Thornaby, Stockton-On-Tees,
TS17 6QW

And

Police and Crime Commissioner for Cleveland

c/o St Marks House, St Marks Court, Thornaby, Stockton-On-Tees,
TS17 6QW

3. LAWFUL BASIS FOR SHARING INFORMATION

Cleveland Police Chief Constable and Cleveland PCC will share information, through delegated authorities, using the following legal bases:

- GDPR Article 6 (1) (c) processing is necessary for compliance with a legal obligation: namely the Police Reform Act 2002
- GDPR Article 6 (1) (e) processing is necessary for the performance of a task carried out in the public interest or in the official authority vested in the controller.

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- Special category data is processed using the following legal bases:
- GDPR Article 9 (2) is necessary for substantial public interest
- Data Protection Act 2018 Schedule 1 conditions:
 - 6. Statutory and Government purposes
 - 8. Equality of opportunity or treatment
 - 10. Preventing or detecting unlawful acts
 - 11. Protecting the public against dishonesty
 - 12. Regulatory requirements relating to unlawful acts and dishonesty.

Where the processing of complaints leads to investigations and potential criminal activity, the Chief Constable will process this data as per the definition of law enforcement data at S31 of the Data Protection Act and in accordance with S35 of the Data Protection Act.

4. INFORMATION SHARED

4.1 a) Cleveland Police agrees to share the following information with Cleveland OPCC Resolution Team (handling of complaints against police):

Information relating to specific complaints received from members of the public that has been received, recorded and/ or processed on the following systems:

- Centurion – the national police complaints database which is provided by Force Information Systems. Individual Centurion records detail activities and enquiries carried out by either police officers, police staff, police staff investigators, or OPCC staff. This will be shared for the purpose of early resolution of low level complaint issues, or determining the facts of the case if it has been formally investigated. Additionally, Cleveland Police have locally adopted a Policy Log which enhances the statutory field information (as set out by the Police Reform Act 2002, Police (Complaints and Misconduct) Regulations 2020) that is recorded upon Centurion.
- NICHE – Cleveland Police's crime recording database. This will be provided to complaints team staff members of the OPCC on a read only basis for the purpose of enabling them to complete background checks, to verify the details of the incident that the complainant cites as the reason for them expressing a dissatisfaction against the Force. It should also be used by the OPCC complaints staff for the purpose of checking any safeguarding or vulnerability issues which may, combined with the circumstances set out warrant OPCC staff prioritising a

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case due to identified risk issues, or which may warrant a safeguarding referral to social care.

- Webstorm – Cleveland Police’s Force Control Room system for recording live incidents and deployments. This will only be accessed by members of the complaints team where sufficient information cannot be elicited from NICHE.
- Red Box – Cleveland Police’s database for recording all telephone calls made to Force Control Room. This will be used by the complaints team to verify complainant assertions relating to the service received from call handlers.
- Body Worn Video – Cleveland Police’s video management systems (Edesix Video Manager and NICE Investigate) which will be used to check assertions made by complainants about police officer actions and conduct at incidents they have responded to.
- E-Duty – Cleveland Police’s duty management system for officers and staff, which will be used by the complaints team to determine when an officer/ staff member will be available.
- DMS Service and Duties – Cleveland Police’s officer/ staff hierarchy system, which will be used by the complaints team to determine the supervisor for officers cited in expressions of dissatisfaction.

4.1 b)The information will be disclosed in the following data format:

- Centurion –
 - Complainants’ personal data – name, DOB, address, contact information, and protected characteristics.
 - Case notes
 - Correspondence documents relating to complaint, e.g. from officers to the complainant
 - Policy log
 - OPCC/ DSE correspondence to complainant
 - Cleveland Police officer/ staff inputs onto progress/ investigation logs
- NICHE
Read only access to:
 - Incident numbers
 - Content relating to incidents, crimes, persons, vehicles, addresses, casefiles, statements of officers, custody records, property management records,

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Appendix

- Occurrence Event Logs,
- Information from Force Control Room, e.g. PNC information
- Public Protection Notices (to include completed Domestic Abuse Stalking and Harassment form, and safeguarding referral information)
- Use of Force form
- Stop Search form
- CAD
- Any uploaded correspondence relating to specific incident
- Photographic images of victims, offenders, or otherwise relating to alleged incident/ crime
- Pocket note book entries
- Linked incidents
- Ad hoc uploaded documents
- Webstorm
 - Caller's personal data including name, address and contact details or other personal information disclosed by them during call
 - Call categorisation
 - Incidents information
 - Officers despatched to incident
 - Reporting person details
 - Suspect information
 - Other information from officers
- Red Box
 - All recorded calls relating to incidents/ crimes complained about – with ability to download and save
 - Caller's telephone number
 - Collar number of person dealing with call
 - Audio recording
- Body Worn Video
 - All body worn video relating to incident/ crime complained about
 - Ability to access visual and audio material, in order to identify offenders and officers
 - Ability to download and save body worn video
- E-Duty
 - Officer name
 - Duty roster
- DMS Service and Duties
 - Organisational hierarchy information

4.1 c) The information shall be exclusively used for the following purposes:

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Centurion

- This will be used for the purpose of early resolution of low level complaint issues, or determining the facts of the case if it has been formally investigated. Additionally, Cleveland Police have locally adopted a Policy Log which enhances the statutory field information (as set out by the Police Reform Act 2002, Police (Complaints and Misconduct) Regulations 2020) that is recorded upon Centurion.

NICHE

- This will be used by the OPCC Resolution Team on a read only basis for the purpose of enabling them to complete background checks, to verify the details of the incident that the complainant cites as the reason for them expressing a dissatisfaction against the Force. It should also be used by the OPCC complaints staff for the purpose of checking any safeguarding or vulnerability issues which may, combined with the circumstances set out warrant OPCC staff prioritising a case due to identified risk issues, or which may warrant a safeguarding referral to social care.

Webstorm

- This will only be accessed by members of the complaints team where sufficient information cannot be elicited from NICHE.

Red Box

- This will be used by the complaints team to verify complainant assertions relating to the service received from call handlers.

Body Worn Video

- This will be used to check assertions made by complainants about police officer actions and conduct at incidents they have responded to.

E-Duty

- This will be used by the complaints team to determine when an officer/ staff member will be available.

DMS Service and Duties

- This will be used by the complaints team to determine the supervisor for officers cited in expressions of dissatisfaction.

- 4.1 d) Any additional information (over and above what has been detailed above) that needs to be requested from Cleveland Police will be done so in writing by a Single Point of Contact (SPOC) within the OPCC to a SPOC within Cleveland Police's DSE via Cleveland Police's secure email system. Section 8 details the SPOCs for both organisations.

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4.2 **Office of Police and Crime Commissioner for Cleveland** agrees to share the following information with Cleveland Police for the purpose of processing complaints that require formal handling (by investigation or otherwise):

- Information gathered from the complainant and the above-mentioned Cleveland Police sources
- Details of actions taken by OPCC Resolution staff to progress resolution of the complaint
- Any additional information pertaining to complaint disclosed by complainant to OPCC staff
- Any complaints that must be handled inside of Schedule 3.

The information will be disclosed in the following data format:

- Updated onto the Policy Log or relevant fields on Centurian

The information shall be exclusively used for the following purposes:

- Complaint processing, statutory complaint reviews, complaint data integrity, reporting to the Independent Office for Police Complaints, and for periodic audit inspections

4.3 Where regular (e.g. daily, weekly, monthly) requests for information are processed within the terms of the agreement, it is the responsibility of each SPOC to keep a log of the dates, reasons for disclosure, data sent and the requestor.

4.4 Any requests for personal information outside of this agreement must be made in writing. Requests for personal information will be reviewed on a case by case basis and must comply with the Data Protection Act principles found in the Information Commissioner's Office's *Data Sharing Code of Practice*, which can be found at Appendix B.

4.5 Requests may be made by secure e-mail addresses. Any message containing personal information should not be sent via non-secure email. The circulation of police information must follow the guidance laid down in the Government Security Classifications, which can be found in Appendix C.

4.6 Requests for information may be made by telephone in cases of emergency. (For example, where there is a risk of immediate violence). Where this occurs, the request for information must be recorded and submitted retrospectively via email from SPOC to SPOC.

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- 4.7 A Data Processing Contract is in place between the OPCC and Cleveland Police to cover access to Cleveland Police system, and extraction activity.

5. POLICIES AND PROCEDURES

- 5.1 Local relevant information and security policies must be adhered to.
- 5.2 Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act:
- Partners will respond to any notice from the Information Commissioner that imposes requirements to cease or change the way in which data is processed.
 - Each Partner Data Controller is responsible for responding appropriately to Subject Access Requests addressed to them and to providing information to the data subject to enable them to make appropriate requests to other Partners where appropriate.
 - Data subjects have the right to object to processing. How the data subject makes such objections should be detailed in each Partner's Privacy Notice. It is the responsibility of each partner to produce and maintain their own Privacy Notice.

6. RETENTION

Any information shared under this agreement must only be retained for as long as is necessary for the purpose it was shared or the cessation of this agreement. The information must be kept and disposed of securely

7. DISCLAIMER

The Information Provider (Data Controller) disclaims all liability to the data recipient in connection with the data recipient's use of data supplied under this agreement and shall not, under any circumstances, be responsible for any special, indirect or consequential loss or damages including but not limited to loss of profits arising from the use of the data by the data recipient.

Information shared by Cleveland Police may include intelligence which may not have been corroborated but all other detail will be relevant and believed accurate at the time of obtaining it until proven otherwise. Any false allegation will still be retained as an accurate record of fact.

8. RESPONSIBILITIES OF RECEIVING ORGANISATION

Information shared becomes the responsibility of the receiving organisation. There is a clear expectation that the receiving

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10. SIGNATURES

10.1 By signing this agreement, all signatories accept responsibility for its execution and agree to ensure that staff are trained so that requests for information and the process of sharing itself is sufficient to meet the purposes of this agreement and compliance with all relevant legislation.

10.2 It is the responsibility of all signatories to appoint appropriate SPOCs to manage the performance of this agreement.

10.3 Authorised Signatory for Cleveland Police

Name: [REDACTED]

Position: [REDACTED]

[REDACTED]

Signed: _____ **Date:** 18 November 2021

10.4 Authorised Signatory for Police and Crime Commissioner for Cleveland:

Name: [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

Signed: _____ **Date:** 2 November 2021

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APPENDIX A – DESIGNATED AUTHORISED STAFF

CONFIDENTIALITY AGREEMENT

In signing the following I understand that information exchanged will only be used for the purpose for which it was requested and it will be securely stored and destroyed when no longer required. Any agency and its employees becoming recipients for the purpose of this information exchange process will, upon signing this protocol, be bound by its terms and conditions.

DESIGNATED AUTHORISED STAFF

Name	Contact Details	Signature
[REDACTED]	[REDACTED]@cleveland.police.uk	[REDACTED]
[REDACTED]	[REDACTED]@cleveland.police.uk	[REDACTED]

Designated Authorised Staff/ Management Co-ordination

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Appendix

The SPOC will be responsible for providing the Force Information Manager with the contact details of the 'Designated Authorised Staff'. Designated Authorised Staff will be those who, after being subject to any Cleveland Police vetting requirements, will have access to the information shared under this agreement. A list of Designated Authorised Staff will be made available within these documents. Failure to adhere to this may result in a temporary suspension of information sharing with **Cleveland Police** .

The information exchanged will only be used for the purpose for which it has been provided and it will be securely stored and returned to **Cleveland Police** when no longer required or destroyed at their request.

APPENDIX B:

Information Commissioner's Office, 2020, *Data Sharing Code of Practice*:
[Data sharing: a code of practice | ICO](#)

APPENDIX C:

Cabinet Office, May 2018, *Government Security Classifications*,
[May-2018_Government-Security-Classifications-2.pdf](#)
(publishing.service.gov.uk)

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