**TERMS OF REFERENCE FOR SANDWELL HOUSING OPERATIONAL PARTNERSHIP**

1. **Purpose**
2. The Sandwell Housing Operational Partnership (SHOP) is committed to identifying vulnerable members of society within the private rented sector housing tenure, with a particular emphasis on identifying victims of Modern Day Slavery, Human Trafficking, Sexual Exploitation and Child Sexual Exploitation.
3. The group was set up by West Midlands Police and Sandwell Metropolitan Borough Council’s Private Rented Sector Housing Quality Team to form a partnership between agencies involved with vulnerable individuals and the private rented sector housing tenure.
4. Arising from an understanding that many victims of exploitation are accommodated within privately rented housing.
5. **Objectives**
6. To increase intelligence sharing between partners.
7. To use intelligence sharing to:

* Identify and assist exploited individuals
* Prosecute perpetrators
* Create an understanding of trends within Sandwell to therefore create priorities
* Prevent future exploitation

1. To facilitate partnerships and relationships between partners and individuals both within and outside of meetings.
2. To develop proactive strategy and opportunities to prevent exploitation, for example group inspections and Day Out projects.
3. To develop an understanding of each agencies powers in order to work together effectively.
4. To promote effective partnership between other staff within partnership organisations.
5. To share report / information from the group to the West Midlands Anti- Slavery Network as required.
6. **Membership**
7. The Sandwell Housing Operational Partnership will be comprised of representatives from:

* Sandwell Metropolitan Borough Council’s Housing Quality Team & Regulatory Services
* Sandwell Metropolitan Borough Council’s Neighbourhood Services department
* Sandwell Metropolitan Borough Council’s Planning department
* West Midlands Police Service
* West Midlands Fire Service
* The Gangmasters Licensing Authority
* The UK Borders and Immigration Department (Home Office)
* Hope for Justice
* West Midlands Anti-Slavery Network

1. Each member authority shall be represented by at least one staff member.
2. In cases where a staff member is unable to attend, they must nominate a deputy to represent the organisation in their place.
3. Where there is need or benefit from inviting a non-group member, because of their technical or specialist knowledge, the group shall invite them.
4. **Working methods**
5. The group will meet every six weeks or as agreed by the group.
6. Meetings will take place at a partner organisation, to be agreed at the end of each meeting.
7. Meetings will be chaired by the group’s nominated chair person; or in their absence, the group will nominate a deputy chair person.
8. Meetings will be arranged and an action template shall be written up by the group’s nominated secretary; or in their absence, the group will nominate a deputy secretary. The secretary will distribute the action log template after every meeting and distribute agendas, minutes, attendee list and confidentiality waver prior to every meeting.
9. Copies of agendas, minutes and reports may also be shared with other organisations at the discretion of the group.
10. Decisions of the group will normally be made by consensus. If this is not possible, the chair of the group will make the final decision.
11. The group may determine that the creation of a standing or temporary sub-group is necessary to deal with certain issues that may be time consuming for the entire group to consider, or to deal with certain projects. The membership of sub-groups will be discussed and decided at meetings when the need for a sub-group is identified.
12. **Sharing information and resources (including confidential materials)**
13. The purpose of this section is to provide a framework for the appropriate sharing of information between partner organisations. It provides details of how information should be shared and how the information will be managed.
14. Information sharing particularly relates to confidential information. Information is confidential when:
15. It is private or sensitive
16. It is not already lawfully in the public domain
17. It was shared in circumstances where a person could reasonably expect the information not to be shared.
18. Prior to sharing information, group members must consider related law.   
    After considering whether the laws allow for the information to be disclosed, individuals may proceed to share the information with caution.

* **Article 8 of the Human Rights Act 1998:**  
  “Everyone has the right to respect for his private and family life, home and his correspondence”. “There shall be no interference by a public authority with this right except as in accordance with the law and is necessary in democratic society in the interests of;

1. National Security
2. Public Safety
3. Economic wellbeing of the country
4. The prevention of crime and disorder
5. The protection of health or morals
6. The protection of the rights or freedoms of others”

* **Section 115 of the Crime and Disorder Act 1998:**  
  An individual will have the power to disclose information when the purpose is for implementing the provisions of the act:

1. To prevent or detect crime
2. To apprehend or prosecute offenders
3. To improve safeguarding of children and vulnerable adults (Children’s Act 1989; 2004)

* **The Data Protection Act 1998:**   
  Individuals should obtain consent from the data subject in order for disclosure to take place **where appropriate and where possible**.   
  When pursuing informed consent, the individual must be aware of:

1. Why the information must be shared
2. Who will see the information
3. How much information will be shared
4. What are the purposes and implications of sharing the information
5. When **informed, consent is not possible**, and an individual is at risk of significant harm, individuals may still act:

* In order to disclose information, it must be **justified or in the public interest**; with a clear, legitimate purpose to do so.
* The public interest criteria covers:

1. The administration of justice
2. Maintaining public safety
3. Apprehension of offenders
4. Prevention of crime and disorder
5. Detection of crime
6. Protection of vulnerable members of the community

* When deciding if sharing information is justified, an individual must question:

1. What does is achieve?
2. What are the potential benefits and risks?
3. Could the objective be achieved without sharing personal data?

* After deciding to share information, it is best practice to record the decision to data share, detailing:

1. What information was shared (or not shared)
2. The reason (for or against sharing information)
3. Who it was shared with
4. When it was shared
5. What the justification was
6. Whether consent was pursued
7. **Appropriate, secure sharing**

* Information must only be shared with those who need to know. This may result in the use of sub-groups or private conversations both within and outside of meetings.
* Individuals must only share as much information as needed.
* Information must not be retained for longer than necessary for the purpose of which it was obtained.
* Partners must ensure that any personal information is secure. Electronical data must be stored on a password protected computer system, and physically held data must be physically secured with appropriate levels of staff access.
* Any emails between organisations must be secure or appropriately classified IL2/IL3.
* In cases where there is an urgent and increased risk to an individual, staff should contact the West Midlands Police immediately.

1. Representatives who attend meetings have a duty to share information on data sharing with other members of staff. Representatives may distribute the West Midlands Police Information Report to staff in order for them to disclose confidential information in a simple, effective way.
2. This section should be reviewed if change of legislation, guidance or lessons learned from sharing data may affect it. This must be the responsibility of every representative in the group.
3. **Amendment**
4. The Terms of Reference will be reviewed at least annually.
5. Members of the group may request for the Terms of Reference to be reviewed more frequently if required.

1. **Definition of Key Terms**
2. The Government’s Modern Slavery Strategy 2014 describes **Modern Day Slavery** as:

*“Slavery servitude, forced and compulsory labour and human trafficking” where “traffickers and slave drivers coerce, deceive and force individuals against their will into a life of abuse, servitude and inhumane treatment”.*

1. The West Midlands Metropolitan Area has adopted the following definition of **Child Sexual Exploitation** taken from statutory guidance:

*“Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive ‘something’ (e.g. Food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child’s immediate recognition. For example, being persuaded to post sexual images on the internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person’s limited availability of choice resulting from their social/economic and/or emotional vulnerability.”*

1. The Gangmasters Licensing Authority defines **Human Trafficking** as:

*“The movement of a person from one place to another, within a country or across borders, into conditions of exploitation against their will”*

1. **Sexual Exploitation** is described as:

*The sexual abuse through exchange of sex or sexual acts for drugs, food, shelter, protection, other basics of life, and/or money*

1. The **Private Rented Sector** is described as:

*A housing tenure whereby properties are let out and/or managed by a private landlord or letting agent.*

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