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1.Introduction

This protocol sets out a joint-agency procedure to provide, by next day notification, appropriate support for Children and Young Persons who have experienced domestic abuse in their household.

What is domestic abuse?

The Government: definition

The definition of domestic violence and abuse; Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can include, but is not limited to, the following types of abuse:

Psychological

Physical

Sexual

Financial

Emotional

- Controlling behaviour: a range of acts designed to make a person subordinate and/or dependant by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.
- Coercive behaviour: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.
- This definition, which is not a legal definition, includes so-called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

Domestic abuse is a safeguarding children issue; statistics show that in 90% of cases children are present in a household during a domestic abuse incident. Often the following day children are ill prepared to deal with the school day.

Operation Encompass is the implementation of key partnerships working between the Metropolitan Police (MPS), the local authority (LA) and designated safeguarding leads (DSL) in the school.

Working together to safeguard children, The MPS will notify specially briefed Encompass DSL's within schools about any domestic abuse incident where the child or young person has been present, to allow the school to take appropriate steps to support their pupil during what could be an emotionally difficult day. Encompass DSL's within the schools are then able to accommodate the school day to lessen the impact and support the child if they need it. In its simplest form, they are given some leeway, comfort and support. This can make a huge difference to children and young people in allowing them to have a safe space.

A database of all Encompass DSL's will be established, maintained by the local authority and shared with their Police MASH. Communication briefings will be sent out to all Councillors, School Governors and all parents regarding Operation Encompass. The aims and principles of Operation Encompass will be disseminated to Police Officers across the MPS.

The information shared will be only that which is necessary to safeguard children and Young people under 18 years, including:

- Date and time of incident
- Notification that there has been a Domestic incident the day before.

2. Aims

This protocol **DOES NOT** replace or supersede existing protocols, or singularly address child welfare. The protocol should always be followed in conjunction with the current safeguarding procedures and practitioners guidelines and is designed to reinforce safeguarding and ensure children's wellbeing support after a domestic incident. Schools will receive information when:

1. Police have been called out to a domestic incident
2. **AND** the child is present at the time of the incident
3. **AND** the child is U18

This knowledge, given to schools/educational establishments through Operation Encompass, allows the provision of next day notification to provide immediate silent observation and awareness. Any further needs identified will be processed via the schools standard pastoral care process.

3. Legal requirements

Section 11(2) of the Children's Act 2004 requires Local Authorities and the Police to safeguard and promote the welfare of Children. This enactment provides conditions under schedule 2 (5b) and schedule 3 (7(1)b) of the data Protection Act 1998 by which personal and sensitive data may be lawfully shared. From 25th May 2018 this Act is replaced with General data Protection Regulation (GDPR). *The lawful basis for processing necessary for compliance with a legal obligation is almost identical to the old condition for processing in paragraph 3 of Schedule 2 of the 1998 Act.*

You need to review your existing processing so that you can document where you rely on this basis and inform individuals. But in practice, if you are confident that your existing approach complied with the 1998 Act, you are unlikely to need to change your existing basis for processing. (Source – ICO.org.uk)

Personal data shared must be proportionate, necessary and not excessive, and must be balanced with the consideration of privacy rights under the Human Rights Act. It must take into account any duty of confidentiality owed. A public interest in disclosure must outweigh an individual's right to privacy.

Information Sharing – Guide for Practitioners and Managers 2009

It is recognised that the handling of such confidential, sensitive and often raw information needs to be dealt with in a way that is proportionate and appropriate to the needs of the child or young person. To address this, Encompass DSL's will be identified in each school (a person with Child protection Training, usually the Designated Safeguarding lead/Head Teacher). The Operation Encompass logs will therefore be stored within the child protection files.

4. Police Responsibilities

What will be disclosed?

Details collated from the Merlin/CRIS report with respect to the child / Young Person will include their name, age, DOB, address and school attended. The day, date, time and location of the incident. The circumstances should be one sentence. Op Encompass is designed as a notification to enable silent support. It should detail there has been a domestic incident where police have been called to the child / Young Persons address. Further queries must be addressed with the LA and the email needs to state that any safeguarding concerns must follow the usual safeguarding protocols.

How will it be disclosed and when?

This information will be taken from the Merlin reports by MASH / CSU staff, the child's school will be identified via the merlin report or Schools database. MASH / CSU staff will aim to send an email to the Encompass DSL at the relevant school via secure email (Box) before 9am or as soon as possible after.

Process

The merlin/CRIS reports for all Domestic incidents will be interrogated to establish if any child or young person was present.

The school system will be searched to establish the school detail for each child mentioned on the Merlin/CRIS report as being present.

The Encompass DSL and contact email / phone number will be identified from a locally kept database.

The Domestic Incident notification will be shared via the agreed contact method to the Encompass DSL to safeguard the child or young person.

Please note - Incidents occurring on Friday, Saturday and Sunday will be reported to the school on Monday morning. There is currently no provision to report incidents that occur during the school holidays as the aim of Operation Encompass is to provide support to the child / young person in the period immediately following an incident.

A referral will be made in respect of all children aged between 4-18 yrs. Police will maintain a record of all referrals made including detail of Key Adult, school and date of dissemination.

5. Local Authority responsibilities

To maintain an up to date list of the Encompass DSL's and their contact details and provide this to Police.

To provide joint briefing alongside Police to Encompass DSL's

6. Schools responsibility

It is the schools responsibility to notify the Local Authority educational lead of any changes to the nominated Encompass DSL. They must also ensure that there is a sufficiently trained deputy to receive the information in their absence.

The secure cloud based system called 'The Box' will be used to send details to the DSL/deputy of any relevant incidents. A separate guide details how to use it. Information will come in a read only format.

Schools need to be aware that in the event of any domestic homicide or serious case review the documents may be required for disclosure purposes.

All schools reaching the required safeguarding standards of the local authority will be invited to join Operation Encompass.

Encompass DSL responsibilities

The Encompass DSL must be level 3 child protection training, be the DSL or deputy for their school and have attended the Operation Encompass briefing.

The Encompass DSL must provide up to date contact details to the Local Authority educational lead and advise immediately of any changes.

The Encompass DSL must ensure that all teaching staff understand the confidential nature of any information passed to them and that this information must be treated in the same way as any other Child protection information given by other partners such as Social Care.

After the initial Operation Encompass DSL briefing the Encompass DSL must inform parents that the school is part of Operation Encompass, using the template letter provided.

The DSL must inform the Governing Body that the school is part of Operation Encompass and the Governor with responsibility for Safeguarding should have a working knowledge of the principles.

The Encompass DSL should include information about Operation Encompass in the school's prospectus, and schools website to ensure that all new parents are informed of involvement.