



Collection of Missing Persons Data

A code of practice for the Police Service on collecting and sharing data on missing persons with public authorities



Collection of Missing Persons Data

Code of practice for the Police Service on collecting and sharing data on missing persons with public authorities

Presented to Parliament pursuant to sections 39 and 39a of the Police Act 1996 (as inserted by section 2 of the Police Reform Act 2002)

Contents

1 Introduction

1.1	Background	5
1.2	Purpose of the code	6
1.3	Diversity issues under the code	7
1.4	Confidentiality	7
1.5	Statutory basis of the code	7

2 Scope and status of the code

2.1	Scope of the code	8
2.2	Relation to other ACPO Guidance	8
2.3	Relation to other statutory and non-statutory guidance	8
2.4	Role of HM Inspectors of Constabulary	8
2.5	Role of the National Policing Improvement Agency	8

3 Requirements of the code

3.1	Ownership of compliance	9
3.2	Strategic principles	9
3.3	Criteria for submission and data requirement	9
3.4	Retention and submission of identification samples	10
3.5	Records of submissions	11
3.6	Performance monitoring	11
3.7	Data Protection	11

1 Introduction

1.1 Background

1.1.1 The Missing Persons Bureau (the Bureau) of the National Policing Improvement Agency (NPIA) is the only national agency with a remit to analyse missing persons and unidentified bodies as a central service in support of the investigative and preventive operations of police forces within the United Kingdom.

1.1.2 Within the safeguarding children and vulnerable adults agenda is the need for robust and predictive data to assist in a missing person's safe return. There is a need to provide relevant information to Local Authority Children's Services Departments to enable them to allocate resources effectively to child protection.

1.1.3 One of the primary reasons for the Bureau's existence is to assess, process, maintain and utilise information submitted by police forces relating to missing persons and unidentified bodies. This information is examined by Bureau staff, and entered onto a database recording a wide range of characteristics of the circumstances, including geographic and other attributes of incidents, and what may be known about the missing person or unidentified body.

1.1.4 The purposes of the data requirement is set out below.

To collect data in relation to missing person investigations;

To share data with other agencies, in particular Children's Services, for the needs of cases presenting an immediate cause for concern;

To share data relating to young runaways with local authorities in relation to any relevant National Indicator;

To enable police forces to develop strategic assessments;

For police forces, Non Governmental Organisations (NGOs) and other stakeholders to share data with the Missing Persons Bureau to:

- develop strategic and tactical assessments, together with problem profiles;
- match missing persons against unidentified bodies and body parts;
- enable monitoring of consistency of risk assessment;
- analyse patterns of outstanding disappearances;

To make anonymised data available for academic research;

To publish regular statistical bulletins on the numbers of missing persons.

1.1.5 The resulting database is used to analyse the characteristics of cases recorded on the system, to bring to light elements which may suggest or confirm links between cases. It also provides a means to quality assure police forces' risk assessment procedures. In addition, it is used to link unidentified bodies to

outstanding missing persons and other information that may reveal identity.

1.1.6 As the database grows, and as experience in using the data increases, these techniques have the capability of identifying links between cases which may not immediately be perceived as linked, and thus enable information derived from one case to be used to provide additional investigative opportunities for another. The Bureau provides a service to investigators in the form of standardised analyses as well as, where requested by investigators, special analyses tailored to the demands of particular cases.

1.1.7 The effectiveness of this approach is dependent on police forces submitting to the Bureau all relevant or potentially relevant cases, and the fullest possible information about those cases. Failure or delay in doing so may not only damage the operational effectiveness of police forces whose information is consequently omitted from the database, but it may also limit the effectiveness of investigations in other police force areas if, as a result, possible links to unreported cases remain unknown and unexplored. In extreme cases omission or delay in submission of relevant information could delay or prevent the finding of missing persons who may be extremely vulnerable and inhibit the identification of offenders.

1.1.8 In order to be able to comply with the requirements of this code, police forces should follow the Association of Chief Police Officers (ACPO) 2005 Guidance on the Management, Recording and Investigation of Missing Persons (hereafter referred to as the ACPO Guidance) and its subsequent updates.

1.2 Purpose of the code

1.2.1 To set out the strategic principles in relation to the management of missing person investigations;

1.2.2 To establish minimum standards in relation to timeliness, quantity and quality of submissions to the Missing Persons Bureau;

1.2.3 To establish minimum standards in relation to the timeliness of data exchange required by any relevant indicator within the national indicator set, and any future performance measurement;

1.2.4 To improve partnerships with key public service agencies in relation to the delivery of public protection;

1.2.5 To specify ACPO portfolio holders within police forces who are ultimately responsible for ensuring good compliance with the code;

1.2.6 To ensure data protection, freedom of information and European Convention on Human Rights (ECHR) requirements of any databases held by the Bureau are fulfilled;

1.2.7 To ensure police forces keep an accurate system of records in relation to submissions to the Bureau and in relation to any data exchanged with local partner agencies.

1.3 Diversity issues under the code

1.3.1 In the application of this code, all areas of diversity and culture, such as race, gender, religion or belief, sexual orientation, disability and age will be taken into account.

1.4 Confidentiality

1.4.1 Nothing in this code is of a confidential nature.

1.5 Statutory basis of the code

1.5.1 This code of practice comes into effect on 1 April 2009.

1.5.2 This code of practice is made under:

Section 39 of the Police Act 1996, which permits the Secretary of State to issue codes of practice relating to the discharge by police authorities of any of their functions; and

Section 39A of the same Act (added by Section 2 of the Police Reform Act 2002) which permits the Secretary of State to issue codes of practice for the purpose of promoting the efficiency and effectiveness of police forces in England and Wales relating to the discharge of their functions by Chief Officers

1.5.3 The code is issued by the Secretary of State for the Home Department in relation to the discharge of the functions of Chief Officers of police. A Chief Officer of police shall have regard to this code, as will the members of the police force for whom the Chief Officer of police is responsible.

2 Scope and status of the code

2.1 Scope of the code

2.1.1 This code applies directly to the police forces maintained for the police areas of England and Wales defined in section 1 of the Police Act 1996 (or as defined in any subsequent legislation).

2.1.2 It is available for adoption by other police forces in England and Wales and by other jurisdictions within the United Kingdom - Scottish police forces, Police Service of Northern Ireland (PSNI), British Transport Police, military police forces, etc.

2.2 Relation to other ACPO guidance

2.2.1 In implementing this code, Chief Officers will take account of the detailed operational guidance and data requirements as set out in the ACPO Guidance. All future revisions of the ACPO Guidance will pay heed to the provisions of this code. Reference should also be made to other relevant ACPO guidance, especially that which relates to children and young persons.

2.3 Relation to other statutory and non-statutory guidance

2.3.1 Other relevant guidance issued by the Government and other agencies, for example, the Department for Children, Schools and Families (DCSF), should also be considered in relation to the implementation of this code of practice.

2.4 Role of HM Inspectors of Constabulary

2.4.1 HM Inspectors of Constabulary will take cognisance of this code and the associated ACPO Guidance, and any successor documents, in the course of their inspections of police forces.

2.5 Role of the National Policing Improvement Agency

2.5.1 The NPIA has responsibility on behalf of the police forces of England and Wales for the management and development of this code of practice and ACPO Guidance and, in that respect, will have responsibility in collaboration with ACPO for the continuing development of these documents.

2.5.2 The NPIA will operate the Missing Persons Bureau database and associated forensic identification databases for missing persons in accordance with relevant legislation, data security and operational database standards, to allow both national and international interoperability.

3 Requirements of the code

3.1 Ownership of compliance

3.1.1 An officer of ACPO rank within each police force will be responsible for ensuring all compliance targets are achieved.

3.2 Strategic principles

3.2.1 When a person is missing, as defined in the ACPO Guidance, there is a potential risk of harm to that person or to the public. That they are missing may also be an indicator of criminality by or against them. In accordance with the duty placed on the Police Service to preserve life and prevent and detect crime, missing person cases must be properly investigated.

3.2.2 Chief Officers must ensure that there are adequate policies and procedures in place to ensure that missing person investigations are carried out in accordance with ACPO Guidance. Particular attention must be paid to the investigation of young persons and vulnerable adults as they are exposed to significantly greater risks.

3.3 Criteria for submission, timeliness and data requirement

3.3.1 Missing person reports

3.3.1.1 Police forces are required to submit case details to the Bureau in relation to:

- (i) All persons reported missing in the UK
- (ii) All foreign nationals reported (via Interpol or by any other means) as missing in the UK
- (iii) All UK residents reported as missing abroad.

3.3.1.2 Case details are required for missing persons who have not returned within 72 hours of the initial report being made to the police. These must be submitted to the Bureau no later than 84 hours after the time of the initial report to the police.

3.3.1.3 Where there is particular concern for the missing person, the case may be sent to the Bureau immediately.

3.3.1.4 Police forces are also responsible for forwarding significant case updates for existing Bureau submissions (for example the missing person having a tattoo which would aid cross matching, or the launching of a murder enquiry in relation to a missing person case). The Bureau must be notified of these updates within 48 hours.

3.3.1.5 Missing person cancellations must be submitted to the Bureau within 24 hours of the police force confirming the missing person's return or location.

3.3.1.6 Police forces will also submit returns to the Bureau every quarter, which give numbers of missing persons.

3.3.2 Unidentified persons and bodies

3.3.2.1 All unidentified persons, bodies or body parts found in the UK are to be reported to the Bureau.

3.3.2.2 In respect of unidentified persons, bodies or body parts, case details must be submitted to the Bureau within 48 hours of the discovery of the person, body or body parts.

3.3.2.3 Cancellation of reports of unidentified person, bodies or body parts must be submitted to the Bureau within 24 hours of any identification taking place.

3.3.3 Data requirement

3.3.3.1 The data required, fulfilling the reporting requirements set out in 3.3.1 and 3.3.2, is contained within the ACPO Guidance and any successor documents.

3.3.4 National indicator requirement

3.3.4.1 Police forces are required to share data with local authorities and partner agencies in relation to individual missing children and young person cases under the requirements of any relevant indicator within the national indicator set.

3.3.4.2 All reports of missing children and young persons will be referred to Local Authority Children's Services within 48 hours of the missing person report being taken.

3.3.4.3 Police forces will exchange data as prescribed in any relevant indicator with local authorities and partner agencies at three monthly intervals.

3.4 Retention and submission of identification samples

3.4.1 In high risk cases, suitable identification samples, as described in the ACPO Guidance, should be obtained within 24 hours of the missing person report being made to the police.

3.4.2 In medium and low risk cases, identification samples should be obtained within 7 days of the missing person report being made to the police.

3.4.3 The samples should be retained and, where the missing person has not returned, the samples should be submitted in accordance with relevant ACPO Guidance and police force policy within 28 days. Where there is an investigative need, the samples should be submitted as soon as that need becomes apparent.

3.4.4 Heed should be paid to all relevant current policies and procedures in relation to retention of samples to ensure that they are not held longer than those policies and procedures state.

3.4.5 Suitable identification samples will comprise one or more of the following, as appropriate to the circumstances:

- (i) DNA
- (ii) Fingerprints
- (iii) Palm prints
- (iv) Footprints (plantar impressions)
- (v) Dental charts
- (vi) Photographs

3.5 Records of submissions

3.5.1 Chief Officers will ensure appropriate and auditable systems are in place detailing submissions to the Bureau.

3.5.2 Such systems should include information on the number and timeliness of cases submitted to the Bureau.

3.6 Performance monitoring

3.6.1 The Bureau is responsible for producing performance reports for Chief Officers in respect of cases submitted to the Bureau from their police force.

3.7 Data Protection

3.7.1 Chief Officers are responsible for the development and implementation of appropriate procedures and systems to ensure that personal data on individuals is held in accordance with the requirements of the Data Protection Act 1998, and any other relevant legislation. The management of information must be in accordance with the code of practice on Management of Police Information. This could include the retention of the information for purposes other than those for which it was collected where retention of that information can be shown to be necessary for policing purposes.